

Agenda

County of Inyo Planning Commission

NOTICE TO THE PUBLIC: In order to minimize the spread of the COVID-19 virus, Governor Newsom has issued Executive Orders that temporarily suspend certain requirements of the Brown Act. Please be advised that the Planning Commission will be conducting its hearing exclusively via videoconference by which Planning Commission Members and staff will be participating. The videoconference will be accessible to the public by computer, tablet or smartphone at: <https://zoom.us/j/98022130186?pwd=c1E4dkNET2ZNVUJzcVNzVmVENWNodz09>
You can also dial in by phone at 1-669-900-6833 and then enter Access Code: 980 2213 0186. Public Comment may be provided by emailing the comments prior to the meeting. All emailed comments will be read into the record, and the Planning Commission will take that feedback into consideration as it deliberates. Please send comments to: inyoplanning@inyocounty.us

FRANK STEWART
CAITLIN (KATE) J. MORLEY
TODD VOGEL
SCOTT STONER
SCOTT KEMP

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SECOND DISTRICT (CHAIR)
THIRD DISTRICT (VICE CHAIR)
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FIFTH DISTRICT

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PROJECT COORDINATOR
PUBLIC WORKS DIRECTOR
COUNTY ADMINISTRATOR
ASSISTANT COUNTY COUNSEL

Items will be heard in the order listed on the agenda unless the Planning Commission rearranges the order or the items are continued. Estimated start times are indicated for each item. The times are approximate and no item will be discussed before its listed time.

Lunch Break will be given at the Planning Commission's convenience.

The Planning Commission Chairperson will announce when public testimony can be given for items on the Agenda. The Commission will consider testimony on both the project and related environmental documents.

The applicant or any interested person may appeal all final decisions of the Planning Commission to the Board of Supervisors. Appeals must be filed in writing to the Inyo County Board of Supervisors within 15 calendar days per ICC Chapter 15 [California Environmental Quality Act (CEQA) Procedures] and Chapter 18 (Zoning), and 10 calendar days per ICC Chapter 16 (Subdivisions), of the action by the Planning Commission. If an appeal is filed, there is a fee of \$300.00. Appeals and accompanying fees must be delivered to the Clerk of the Board Office at County Administrative Center Independence, California. If you challenge in court any finding, determination or decision made pursuant to a public hearing on a matter contained in this agenda, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Inyo County Planning Commission at, or prior to, the public hearing.

Public Notice: In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Planning Department at (760) 878-0263 (28 CFR 35.102-3.104 ADA Title II). Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Planning Department 2 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format (Government Code Section 54954.2).

MAY 27, 2020

10:00
A.M.

1. **PLEDGE OF ALLEGIANCE.**
2. **ROLL CALL** – Roll Call to be taken by staff.
3. **PUBLIC COMMENT PERIOD** – This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the Agenda.
4. **APPROVAL OF MINUTES** – Approval of minutes from the February 26, 2020 Planning Commission Meeting.

Action
Item

Action
Item
Public
Hearing

5. **GENERAL PLAN AMEDMENT- 2019-01/ZONE RECLASS-2019-02/TENTATIVE PARCEL MAP-422/OLANCHA LAKE ZONING** - The applicant (Olancha Lake LLC) is requesting to merge six parcels, which requires a Tentative Parcel Map. This parcel merger also requires a Zone Reclassification and General Plan Amendment to create the correct land use designations for a proposed future commercial RV camping business

Action
Item
Public
Hearing

6. **CONDITIONAL USE PERMIT- 2020-01/GBUAPCD** - The applicant (Great Basin Unified Air Pollution Control District) has applied for a Conditional Use Permit for a project located at 866 E. Locust St., in Lone Pine. The applicant is seeking approval to construct a 33 foot air monitoring tower, which is permitted as a conditional use, following approval from the Inyo Planning Commission.

Action
Item
Public
Hearing

7. **TELECOM PLAN-2020-01/SMARTLINK** – The Applicant Smart Link LLC, representing ATT, has submitted an application to update ATT’s existing Telecom Plan to add a co-location site in west Bishop on a tower recently approved for and built by Verizon Wireless. The update to ATT’s telecom plan also includes a future site within the Bishop City limits. ATT is required to include this site in their telecom plan, but the County has no jurisdiction over its approval. This project is Exempt for CEQA.

Infor-
mational
Item

8. **2019 ANNUAL PROGRESS REPORT** - Staff will give a presentation to the Planning Commission summarizing the Inyo County 2019 Annual Progress Report.

COMMISSIONERS' REPORT/COMMENTS

Commissioners to give their report/comments to staff.

PLANNING DIRECTOR'S REPORT

Planning Director, Cathreen Richards, will update the Commission on various topics.

CORRESPONDENCE – INFORMATIONAL

COUNTY OF INYO

PLANNING COMMISSION

MINUTES OF FEBRUARY 26, 2020 MEETING

COMMISSIONERS:

FRANK STEWART
CAITLIN (KATE) J. MORLEY
TODD VOGEL
SCOTT STONER
SCOTT KEMP

FIRST DISTRICT (CHAIR)
SECOND DISTRICT (ELECT-CHAIR)
THIRD DISTRICT (VICE)
FOURTH DISTRICT
FIFTH DISTRICT

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PLANNING DIRECTOR
COUNTY COUNSEL
SENIOR PLANNER
ASSISTANT PLANNER
COUNTY ADMINISTRATOR
PUBLIC WORKS DIRECTOR

The Inyo County Planning Commission met in regular session on Wednesday, February 26, 2020, in the Administration Building, in Independence, California. Commissioner Morley opened the meeting at 9:59 a.m.
These minutes are to be considered for approval by the Planning Commission at their next scheduled meeting.

ITEM 1: **PLEDGE OF ALLEGIANCE** – All recited the Pledge of Allegiance at 9:59 a.m.

ITEM 2: **ROLL CALL** - Commissioners: Frank Stewart, Todd Vogel, Caitlin Morley, Scott Stoner, were present.

Staff present: Cathreen Richards, Planning Director; Steve Karamitros, Senior Planner; Ryan Standridge, Assistant Planner; Paula Riesen, Project Coordinator and Grace Chuhla, County Counsel.

Staff absent: Clint Quilter, County Administrator; Michael Errante, Public Works Director.

ITEM 3: **PUBLIC COMMENT PERIOD** – This item provides the opportunity for the public to address the Planning Commission on any planning subject that is not scheduled on the Agenda.

Chair Morely opened the Public Comment Period at 10:00 A.M.

- Linda Chaplin wished to speak regarding the online web Planning page – She would like to see it updated.

- Linda Chaplin also asked that the Planning staff list all of the Business Names associated with the application being presented.

Cathreen Richards, Planning Director addressed Ms. Chaplin and said the website was updated about a month ago and the information is there. Also, she invited Ms. Chaplin to come to the Planning office where we could show her how to navigate the new webpage.

Chair Morley closed the public comment period at 10:07 A.M.

ITEM 4: **APPROVAL OF MINUTES (Action Item)** – Approval of the Minutes from the January 22, 2020, meeting of the Planning Commission.

- Commissioner Vogel asked for a correction of item # 8, Chair Kate Morley recused herself for Item # 8, and Commissioner Vogel chaired the item.
- Commissioner Stewart asked for a correction of Item # 15, bullet point where he stated he is north eastern part of the property.

MOTION: Commissioner Scott Stoner made the motion to approve the minutes, with the changes to Item # 8 and Item # 15. The motion was seconded by Commissioner Stewart to approve the Minutes, from January 22, 2020.

The Motion passed 4-0 at 10:09 a.m.

ITEM 5: **CUP 2019-03/INYO FARMS (Action Item)** – The applicant applied for a Conditional Use Permit for a project located approximately 5 miles south of the community of Olancho. The applicant is seeking approval for a cannabis cultivation project, which is permitted as a conditional use, following approval from the Inyo Planning Commission.

Steve Karamitros, Senior Planner presented staff report, handing out an additional attachment, listing this project had be check by other County departments, such as
 Road Department – County Right of Way
 Environmental Health – Septic Tank
 Lahonton Water Board – Checking quality of Water, in regards to waste water.

Commission Vogel asked if Lahonton required backflow devices for domestic water and Agricultural runoff?

Mr. Karamitros stated that the onsite well would require a backflow preventer since it was for both domestic and agricultural use. That the agricultural water runoff would go into a holding pond, where it would be left to dry and then the residual material would be hauled off, as to not contaminate the land.

Chair Morley asked how close the closest building would be to Highway 395?

Mr. Karamitros stated that the building would be 390 feet to 400 feet away.

Chair Morley asked how tall the building would be?

Mr. Karamitros stated the building will not exceed 30 feet tall.

Chair Morley opened the Public Hearing at 10:22 a.m.

- Samantha Stevens was the first to speak expressing concerns at having to look at the barbed wire, fencing and bright lights. Worried about security in the Sage Flat area, she moved there to be safe.
- Ali Ashley was the next to speak stating that her family has open range grazing rights for their cattle and was concerned that the cattle might get sick by the grower.

Planning Director, Cathreen Richards, responded to Ms. Ashley and stated that Cactus Flat was north of the project, greenhouse and pond; all would be fenced so the cattle would not be able to get near the area.

Chair Morely closed the Public Hearing at 10:32 a.m.

Commission Stoner asked if this project will be affected by the Olancha By-pass?

Mr. Karamitros stated that it will not affect this project.

Commissioner Stewart was concerned how this will comply with the Dark Skies initiative and recommended that the lights will have shielding facing the residents of the area and asked for this to be added as a condition of approval.

Commissioner Stewart made a motion to approve (following wording changes from “will” to “shall” for the existing Conditions of Approval, 1-3); findings 1-7; and, with the addition of (1) lighting shields and (2) building colors that blend with the environment, being added as Conditions of Approval for issuing the CUP. The motion was seconded by Commissioner Stoner.

The Motion passed 4-0 at 10:35 a.m.

ITEM 6

NON-HOSTED SHORT-TERM RENTAL PERMIT 2019-09/SULLIVAN – (Action Item) - The applicant has applied for a Non-hosted Short-term Rental Permit, located at 550 Sunset Drive, in Lone Pine. This permit is required for the applicant to begin renting residential space for periods of 30-days or less, and to achieve compliance with Inyo County Code Chapter 18.73.

Ryan Standridge, Assistant Planner, presented staff report.

Chair Morely questioned if the master bedroom was to be rented or was there to be a host there at house.

Ms. Standridge stated that she put the wrong house rules with this packet it is supposed to be Non-Hosted and the master bedroom is rentable.

Chair Morley opened the Public Hearing at 10:40 a.m.

With no one wanting to speak Chair Morely closed the Public Hearing at 10:40 a.m.

MOTION: Commissioner Todd Vogel made a motion to approve with findings 1-7, and conditions 1-2 and it was seconded by Commissioner Stewart.

The Motion passed 4-0 at 10:41 a.m.

ITEM 7: **NON-HOSTED SHORT-TERM RENTAL PERMIT 2019-08/LEONARD** – (Action Item) - The applicant applied for a Non-hosted Short Term Rental permit for a residence located at 4307 Granite View Drive, in the Granite View neighborhood of the community of Lone Pine. This permit is required for the applicant to begin renting residential space for periods of 30-days or less, and to achieve compliance with Inyo County Code Chapter 18.73.

Ryan Standridge, Assistant Planner, presented staff report.

Chair Morley opened the Public Hearing at 10:44 am

No one from the public wished to comment; the hearing closed at 10:44 a.m.

MOTION: Commissioner Morley made a motion to approve with findings 1-7, and conditions 1-2, staff report and was seconded by Commissioner Stoner.

The Motion passed 4-0 at 10:46 a.m.

COMMISSIONERS' REPORT/COMMENTS –

Commissioner Vogel stated he will not be able to make the April, Planning Commission Meeting.

DIRECTOR'S REPORT –

With lack of items to bring to the Commission we would like to cancel March's Planning Commission meeting. The Commissioners agreed.

This was the last of the Non-Hosted rentals that had been submitted at the time of the updates to the Short Term Rental ordinance. There will be no more non-hosted short-term rental permits.

The Commission's approval of the IMACA CUP-2019-18 Homeless Parking Project was appealed to the Board of Supervisors. Staff will keep the Commission up to date on it.

The General Plan Annual Progress Report will be presented to the Board of Supervisors in March and will be presented to the Commission at the next meeting.

ADJOURNMENT –

With no further business, Chair Kate Morley requested a motion to adjourn the meeting at 10:52 a.m. The next meeting will be April 22, 2020 meeting, at 10:00 a.m. in the Board of Supervisors Room, Administrative Center, Independence, California.

Motion by Commissioner Frank Stewart.

Seconded by Chair Morley.

Motion passed 4-0.

Prepared by:
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Inyo County Planning Department

DRAFT



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AGENDA ITEM NO.: 5 (Action Item and Public Hearing)

PLANNING COMMISSION

MEETING DATE: May 23, 2020

SUBJECT: TPM 422; ZR 2019-02/Olancha RV; GPA 2019-01/Olancha RV

EXECUTIVE SUMMARY

The applicant, Olancha Lake LLC, is requesting a parcel merger/lot-line adjustment of six, primarily 10-acre parcels, one of which is 19 acres. This parcel merger request requires a Tentative Parcel Map because there are “more than four lots involved in the lot line adjustment” and therefore “a re-subdivision tentative map application [is] required” (ICC 16.52.070). This parcel merger also requires a Zone Reclassification and General Plan Amendment to create the correct land use designations for the proposed commercial RV camping business. The applicant is requesting Commercial Recreation with 60-acre minimum (C5-60) and a General Plan designation of Resort Recreational (REC) with between 1 and 24 dwelling units per acre density requirement. The REC designation is intended for a mix of tourism-oriented commercial and residential uses, though permanent residential use is also permitted. The parcel is located in Olancha, one-eighth of a mile east of Highway 395, adjacent to SR 190. It is currently zoned Rural Residential with a 5-acre minimum (RR-5.0); has the General Plan designation of Residential Estate (RE); and, includes six parcels to be merged, with Assessor Parcel Numbers (APNs): 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17 (Attachment - site and vicinity maps). The zone reclassification to C5 and General Plan Amendment to REC properly accommodate the proposed future use as a commercial RV and tent camping site.

PROJECT INFORMATION

Supervisory District: 5

Applicants: Olancha Lake, LLC

Landowners: Olancha Lake, LLC

Community: Olancha, CA

A.P.N.: 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17

Existing General Plan: Residential Estate (RE)

Existing Zoning: Rural Residential with a 5-acre minimum (RR-5.0-MH)

Surrounding Land Use:

Location	Use	General Plan Designation	Zone
Site	Vacant cabins, site currently unused	Residential Estate (RE)	Rural Residential, 5 acre minimum (RR-5-MH)
North	Vacant	Residential Estate (RE)	Rural Residential, 5 acre minimum (RR-5-MH)
East	Vacant	Rural Protection (RP)	Open Space, 40-acre minimum (OS-40)
South	vacant	Residential Estate (RE)	Rural Residential, 5 acre minimum (RR-5-MH)
West	industrial	Light Industrial (LI) & Rural Protection (RP)	General Industrial (M1) & Light Industrial (M2)

Recommended Action:

- 1.) Make certain findings with respect to and approve TPM 422/and certify the Mitigated Negative Declaration under CEQA.
- 2.) Make certain findings with respect to and recommend the Board of Supervisors approve ZR 2019-02/Olancha Lake RV, and certify the Mitigated Negative Declaration under CEQA.
- 3.) Make certain findings with respect to and recommend the Board of Supervisors approve GPA 2019-01/Olancha Lake RV, and certify the Mitigated Negative Declaration under CEQA.

Alternatives:

- 1.) Specify modifications to the proposal and/or the Conditions of Approval.
- 2.) Make specific findings and deny the application.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

Project Planner: Steve Karamitros

BACKGROUND

The applicant has applied for TPM 422 as part of their business plan to combine six separate parcels into one for purposes of a commercial RV camping business. The applicant is also the current owner of the properties to be merged (Olancha Lake, LLC; Leedy Ying). There are currently four abandoned cabins on two of the parcels, which will be converted into cabins for rent. The property has a preexisting tennis court and a dry lake, which the applicant intends to fill for commercial recreational use (kayaking; swimming). This request by the current property owner and applicant Olancha Lake, LLC is to merge six parcels. Combining four or more parcels without a Tentative Map would not comply with Inyo County Code 16.52.070, and would not be considered a legal parcel without the benefit of this Tentative Parcel Map, as set forth by the California Subdivision Map Act.

The parcels proposed for merger are zoned RR-5.0-MH, which prohibits commercial activities, such as RV parks; therefore, the applicant is also requesting a zone reclassification of the approximately 68-acres to Commercial Recreation with a 60-acre minimum lot size. The minimum lot size under the current zoning will change following the zone reclassification. Once the parcels are merged, the property will not have the potential to be subdivided. A General Plan Amendment is also required as the current designation of RE does not allow for commercial uses, such as the proposed RV camping project.

STAFF ANALYSIS

Land Use Analysis: The property is surrounded by vacant and open space land, to the north, east and south, all of it privately owned. Directly to the west is a bridge building warehouse and materials staging area. Less than 0.25 miles west is the community of Olancha. The TPM, ZR and GPA will alter the existing land use to enable future planned development for a commercial RV project. The TPM, ZR and GPA will enhance the character of the property, bringing existing buildings up to Building & Safety Code, and filling the Olancha lake to create recreational opportunities. The site will utilize three preexisting permitted wells to supply the lake, and the applicant is working with the Inyo County Department of Environmental Health to design and upgrade the septic system that can accommodate the RV camping site.

General Plan: The proposed Tentative Parcel Map and zone reclassification necessitate a change to the General Plan land use designation of Residential Estate (RE). The applicant is requesting a General Plan designation of Resort Recreational (REC). The current designation of RE does not allow for non-residential commercial uses, such as the proposed RV park. Changing the General Plan designation to REC will result in a 1-acre per 1/2.5 – 24 dwelling unit density that corresponds with the 60-acre lot size requirement of the proposed C5 zone. Clustering of residential units is encouraged, with density of developed area allowed up to 24 dwelling units per net acre. The REC designation is to be used in rural areas oriented toward tourist use, however, it also permits permanent residential use and public and quasi-public uses. This designation provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, motels, *campgrounds*, *trailer parks*, restaurants, general stores, service stations, and similar and compatible uses. The REC designation is better suited to the proposed future use, providing commercial development and employment to the Olancha community. This would better align with Inyo County's goal to: "provide commercial land uses

that adequately serve the existing and anticipated future needs of the community and surrounding environs.” Preexisting wells for domestic water use would be used and septic systems for the 4 cabins and 40 RV spaces are currently being designed in coordination with the Environmental Health Department. There are currently seven existing buildings cumulatively among the six parcels being merged. Four of these structures will be converted into cabins to be rented for residential use on the proposed recreational project. The merged, 68-acre parcel will have a density requirement of 1 camping/cabin space per acre. This density is applied to projects, such as commercial RV parks and campgrounds, where the density ratio of camping/RV spaces-to-acreage is used, rather than residential units per acre. This change will allow for the proposed 40 RV spaces, 4 cabins, and 10 tent camping spaces.

Zoning: The proposed zone reclassification to C5-60 will result in an increase to the minimum lot size requirement that is currently 5-acres. The property is not currently in use and the C5-60 zoning designation, combined with the merger under the Tentative Map, would allow the owner/applicant to establish a commercial RV campground as a conditional use. The change in designation would not provide for additional future subdivisions. Additionally, the resulting single parcel will not create a situation where there could be as many single-family homes allowed as there are RV/camping spaces. The density and number of RV and tent camping spaces allowed is based on the commercial use of the RV park. Any future subdivision related to residential use and development would require an additional zone reclassification. It is in the public interest to have zoning designations match the uses on a parcel, and even more so to have zoning that matches an applicant’s future plans for a parcel. This produces consistency between use and designation. TPM 422 is conditioned with first attaining the zone reclassification.

Subdivision: ICC Title 16 and the Subdivision Map Act (Government Code Section 66410 et seq.) regulate subdivisions. The proposed lots meet the applicable lot standards and design requirements specified in ICC Chapter 16.16, and the TPM meets the applicable preparation specifications identified in ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act. Due to the rural, undeveloped, nature of the area, staff recommends that the street and utility improvements required by ICC Section 16.40.010 be waived, as permitted. A condition of approval is included to require such improvements in the future if they become necessary.

Access: Access will be provided to the parcel/campground via School Rd.

Utilities and Public Services: The project site does not currently have complete utility provisions. LADWP will be providing electricity to the site and there are existing power poles on the property. The applicant is working with LADWP to create appropriate electrical designs for the project. Water is accessible with 3 existing wells and wastewater with existing and planned septic systems. The required setbacks between structures, wells, septic systems, and property boundaries will be met, based on the current project plans.

Fire

The project area is located within a Local Responsibility Area for fire protection services. The project meets the requirements of the Sub Division Map Act regarding Fire Districts as it

located within the Olancha Community Service District that provides fire protection and suppression services.

TRIBAL CONSULTATION

General Plan updates require that jurisdictions offer consultation opportunities to local Tribes. Pursuant to Government Code Section 65352.3, Tribes have 90-days, after receiving invitations to consult on GPAs to request consultation opportunities. Pursuant to SB 18 Tribes were invited to consult on this General Plan Amendment. In addition, this project is not exempted from CEQA analysis and required an Initial Study/Mitigated Negative Declaration. Consequently, pursuant to AB 52, Tribes received a written request to comment on the environmental document being produced for this project. Staff mailed SB 18 & AB 52 consultation invitations on October 31, 2019 to the: Big Pine Paiute Tribe of the Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, Twenty-Nine Palms Band of Mission Indians, and the Cabazon Band of Mission Indians. No requests for consultation were received.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study and Mitigated Negative Declaration has been completed to evaluate for environmental impacts. This application for a TPM, ZR and GPA is for a property that is already disturbed, which includes a preexisting tennis court, seven built structures (cabins), and utility connections. However, the project will create new disturbances from upgraded septic systems, more intense water use, and potential impacts to botanical & wildlife resources. All mitigations will be added to the proposed TPM, ZR, and GPA as Conditions of Approval for the project.

NOTICING & REVIEW

The application for TPM 422/Olancha Lake RV; ZR 2019-02/Olancha Lake RV; GPA 2019-01/Olancha Lake RV have been reviewed by the appropriate County departments with no comments indicating there are any issues with the request.

The project was noticed on May 14, 2020 in the Inyo Register and mailed to property owners within 300-feet of the project location. No comments have been received by staff to date.

RECOMMENDATIONS

Planning Department staff is recommending:

1. The Planning Commission approve TPM 422 and certify the Initial Study and Mitigated Negative Declaration under CEQA.
2. The Planning Commission provide a recommendation that the Board of Supervisors approve General Plan Amendment 2019-01/Olancha Lake RV and Zone Reclassification 2019-02/Olancha Lake RV certify the Mitigated Negative Declaration under CEQA.

Recommended Findings and Conditions

TPM 422 - Findings:

1. Proposed TPM 422/Olancha Lake RV an Initial Study and Mitigated Negative Declaration under CEQA was conducted for the project and it was found that impacts will be less than significant with mitigations.

[Evidence: the proposed project will include 10 tent-camping sites, 40 RV camping spaces, 4 existing homes that will be turned into cabins for rental, a star gazing area for campers to enjoy at night, a horse shoe pit, a tennis court, a bird watching area, a restaurant, and kayaking rentals for use on Olancha Lake. Although the property has already been disturbed (a preexisting tennis court, seven built structures, and water and septic connections), the project will create new disturbances from upgraded septic systems, more intense water use, and potential impacts to botanical & wildlife resources. All mitigations will be added to the proposed TPM, ZR, and GPA as Conditions of Approval for the project.]

2. Based on substantial evidence in the record, the Planning Commission finds that TPM 422 is not in conformance with the Rural Residential Zoning designation currently found on the property; therefore, a condition of approval to change the Zoning designation to Commercial Recreation with a 5-acre minimum (C5-5) will be required for a Final Map.
[Evidence: Inyo County Code (ICC) Chapter 18.21.010 states the intent of the current RR zoning designation is to “provide suitable areas...for low density, single family...uses and estate uses where certain agricultural activities can be successfully maintained in conjunction with residential use...” This designation is for low density residential use, which does not align with the planned commercial use of the project. The Final Map will merge 6 parcels for a commercial campground, with multiple RV and tent camping spaces; this planned commercial project will be out of compliance with ICC 18.21 the RR designation; therefore, the applicant is requesting a Zone Reclassification to Commercial Recreation with a 5-acre minimum (C5-5) as this designation best fits the project’s planned use and will allow TPM 422 to be finalized. Once this condition is met, TPM 422 will be in conformance with the Zoning designation.]

3. Based on substantial evidence in the record, the Planning Commission finds that TPM 422 is not in conformance with the Inyo County General Plan designation of Rural Estate (RE) that is currently found on the property and a condition of approval to change the General Plan designation to Resort Recreational (REC) will be required for a Final Map.
[Evidence: The RE designation provides for single-family dwellings with a density of 1 single-family dwelling per 5-acres. This does not correspond consistently with the requested C5 zoning. For consistency and compliance with the General Plan, the applicant is requesting a General Plan Amendment to change the designation from RE to REC. The REC designation is traditionally used in tandem with the C5 zoning designation. It allows for RVs and tent campgrounds, which are geared toward commercial rather than residential uses. Once this condition is met TPM 422 will be in conformance with the REC General Plan designation.]

4. Based on substantial evidence in the record, the Planning Commission finds that TPM 422 as conditioned is in conformance with and the Inyo County Subdivision Ordinance, and the State Subdivision Map Act.
[Evidence: Proposed TPM 422 is consistent with the requested C5 Zoning designation as the new parcel meets the development standards of a minimum parcel size and setback requirements of both respective zoning districts. The Tentative Map is being produced because more than four lots are being merged (16.52.070-E). The proposed single lot meets

the applicable requirements specified in ICC Chapter 16.16, and the TPM meets the applicable requirements of ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act.]

5. Based on substantial evidence in the record, the Planning Commission finds that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.
[Evidence: The project is consistent with the rural character of the surrounding area, is already developed and will not increase demands on public services and utilities. TPM 422 has been routed to appropriate County departments and the comments that were received have been addressed in the conditions of approval. The project is not expected to increase demands for fire protection services and is located within a local fire district.]
6. Based on the substantial evidence the Planning Commission finds that the provisions of Government Code 66474.02 have been met (fire Protection and suppression services).
[Evidence: The proposed commercial project is within a local fire district, which effectively exempts TPM 422 from 66474.02. TPM 420 has been routed to the local fire district in Olancha and no comments have been received.]
7. Based on substantial evidence in the record, the Planning Commission finds that the design of the merged lots or the types of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, or alternate easements have been provided.
[Evidence: Access to the project is already established by School Road. Additional easements for water and sanitary services are not required as there are existing facilities that serve the property and no conflicts with existing easements have been identified.]
8. Based on substantial evidence in the record, the Planning Commission finds that the design or proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or their habitat, or cause serious public health, welfare, or safety problems.
[Evidence: As indicated by the Initial Study and Mitigated Negative Declaration, the project will have impacts to ground water use, utilities (septic), storm water, listed botanical that have blooming periods outside of when surveys were conducted, and potentially nesting bird species. Conditions of approval are included to ensure that the final map mitigates the above mentioned potential impacts. The proposed campground will be regulated as a public water system and has been evaluated by both the County's Environmental Health Department and the Lahontan Regional Water Quality board. Preconstruction surveys will be conducted to determine if storm water management is necessary. Additional preconstruction surveys will ensure that any potential impacts to botanical and or wildlife species are appropriately mitigated.]
9. Based on substantial evidence in the record, the Planning Commission finds that no significant impacts to native vegetation or wildlife will result from the proposed project.

[Evidence: The site is already developed and the merger of parcels, and resulting campground project, does have potential to impact native botanical species and nesting bird species. These potential impacts will be avoided through preconstruction surveys and any resulting avoidance, minimization, or mitigation measures determined to be necessary by a qualified biologist.]

TPM 420 – Conditions of Approval:

- 1.) A Final Parcel Map in substantial conformance with the approved TPM meeting applicable requirements of ICC Chapter 16.32 and Chapter 2 of the Subdivision Map Act shall be filed for recordation within two years from the date of approval by the Planning Commission, unless a request for a time extension request per ICC Section 16.20.110 is received prior to that date and approved.
- 2.) The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning TPM No. 422/Olancha Lake RV or applicant's failure to comply with conditions of approval.
- 3.) Payment of any delinquent and/or due taxes or special assessments shall be made to the satisfaction of the Inyo County Treasurer/Tax Collector prior to recordation of the Final Parcel Map.
- 4.) The applicant shall complete ZR 2019-02/Olancha Lake RV changing the zoning designation on the proposed single Parcel from (RR-5) to (C5-5) prior to recordation of the Final Parcel Map.
- 5.) The applicant shall complete a GPA 2019-01 changing the General Plan Designation from (RE) to (REC) prior to recordation of the Final Parcel Map.
- 6.) The applicant and its successors in interest shall improve or contribute appropriately towards the construction of all roads and utilities within and serving the parcel per applicable standards, as may be required by the County in the future.

GPA 2019-01/Olancha Lake RV; ZR 2019-02/Olancha RV - Findings:

1. Based on the substantial evidence the Planning Commission recommends that the Board of Supervisors certify that General Plan Amendment 2019-01/Olancha Lake and Zone Reclassification 2019-02/Olancha Lake are a Mitigated Negative Declaration under CEQA. *[Evidence: the proposed project has been analyzed for environmental impacts Under CEQA, which has resulted in a Mitigated Negative Declaration. As the CEQA lead agency, all mitigations required by the Initial Study, shall be added as conditions of approval for the future campground project. This application for a TPM is for a property that is already disturbed and includes no additional development proposals; the land use designations that are proposed will not result in more impactive uses.]*
2. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that General Plan Amendment 2019-01/Olancha Lake RV and

Zone Reclassification 2019-02/Olancha Lake RV are in conformance with the Goals and Objectives of the Inyo County General Plan.

[Evidence: The proposed designation of REC provides for a mixture of residential and recreational commercial uses, such as resorts, recreational facilities, and campgrounds. This designation is oriented towards commercial use, but does provide for permanent residential use, with a density (1 dwelling unit per 25-acres). Clustering of residential units is encouraged, which would increase the density of developed area to 24 dwelling units per net acre. This higher density is appropriate for the proposed 40 RV spaces, 10 campsite spaces, and 4 cabins and better corresponds to the proposed zoning designation, which is oriented around such commercial uses as campgrounds and RV parks.]

3. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that General Plan Amendment 2019-01/Olancha Lake RV and Zone Reclassification 2019-02/Olancha Lake RV are consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.

[Evidence: The proposed designation of C5-10 provides for low density residential use for people regularly employed on the premises for commercial recreational activities, and commercial recreation, oriented around tourism, which corresponds to the proposed General Plan designation. The proposed zoning will not result in more potential parcels than could currently be subdivided from the property without these changes.]

4. Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.

[Evidence: The project is consistent with the rural character of the surrounding area and this request for a GPA and ZR will not allow for a development type that would change the character of the site or the surrounding area. The GPA and ZR will increase the potential for increased intensity or density on the site as it changes the parcel to C5-60, which allows for more intensity in use than the current RR-5 designation does. The property has three existing wells to meet the increase intensity of water use from the proposed lake and domestic water use for the campground. This commercial RV campground will be regulated as a public water system and be subject to the rules and constraints set by the Inyo Environmental Health Department. Additionally, septic systems are already in place on the property and will be redesigned and upgraded to meet the intensity of commercial use. This will be adequate for the planned commercial enterprise. Electricity services are also currently provided to the parcel, but will be upgraded for the proposed campground, although; electrical connections will not be provided for RV hookups.]

Recommendation: Based on substantial evidence in the record, the Planning Commission recommends that the Board of Supervisors find that the design or proposed improvements are not likely to cause substantial impacts to public health, safety or welfare.

[Evidence: The proposed General Plan Amendment and Zone Reclassification will allow the current uses on the property to be consistent with the County's Zoning Ordinance by changing the zoning to match the future planned uses on the parcel and changing the General Plan to properly correspond with the zoning designation. The designation changes

will allow for increased density and intensity of use on the property; however, this will not create substantial impacts to the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.]

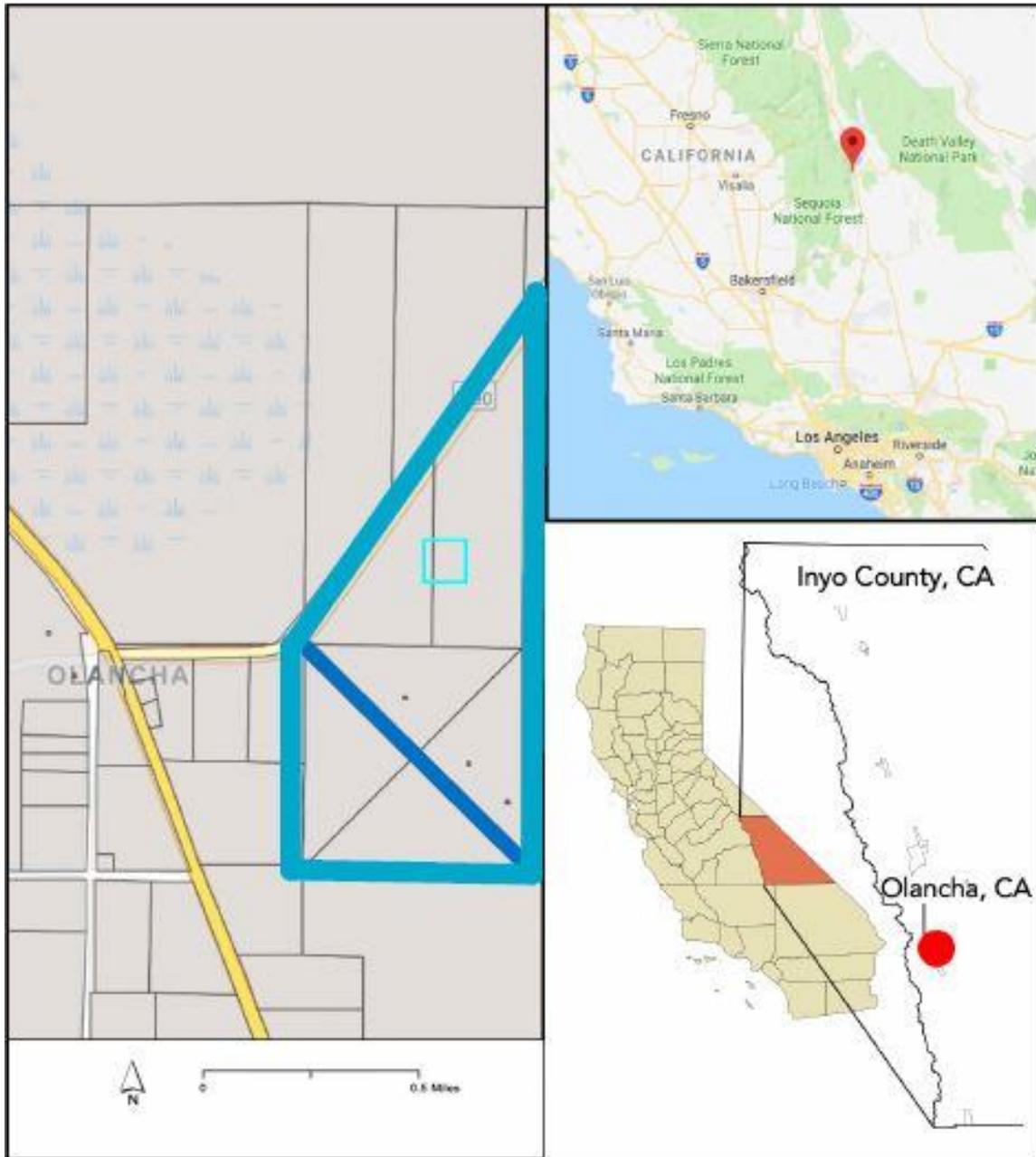
Attachments:

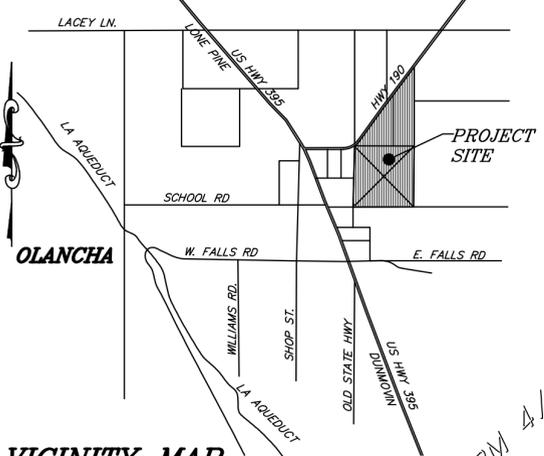
- Vicinity Map
- Site Map
- Tentative Parcel Map 422
- Ordinance



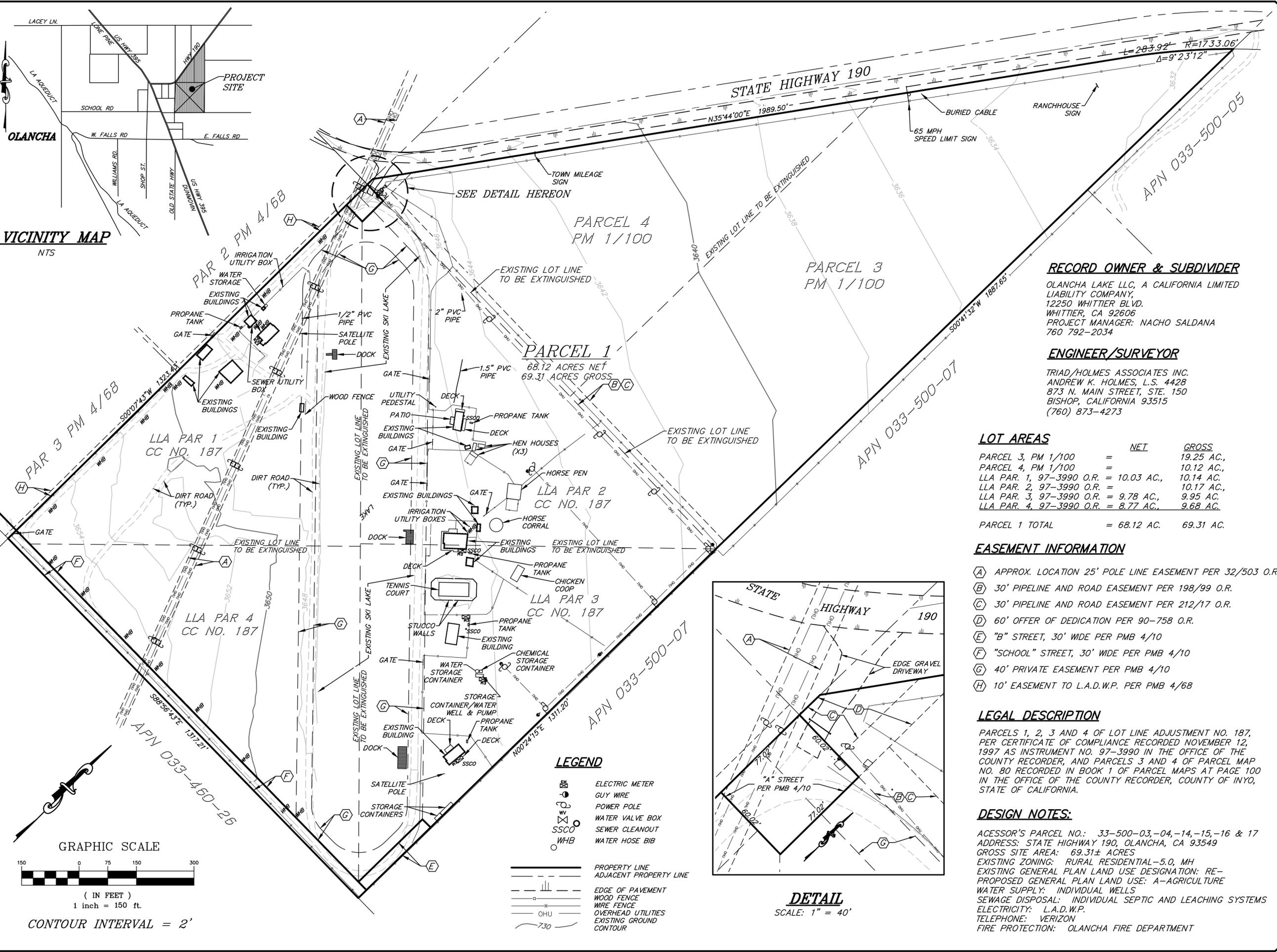
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Figure 1. Vicinity Map, Location Map, and Project Location





VICINITY MAP
NTS



RECORD OWNER & SUBDIVIDER

OLANCHA LAKE LLC, A CALIFORNIA LIMITED LIABILITY COMPANY,
12250 WHITTIER BLVD.
WHITTIER, CA 92606
PROJECT MANAGER: NACHO SALDANA
760 792-2034

ENGINEER/SURVEYOR

TRIAD/HOLMES ASSOCIATES INC.
ANDREW K. HOLMES, L.S. 4428
873 N. MAIN STREET, STE. 150
BISHOP, CALIFORNIA 93515
(760) 873-4273

LOT AREAS

	NET	GROSS
PARCEL 3, PM 1/100	=	19.25 AC.
PARCEL 4, PM 1/100	=	10.12 AC.
LLA PAR. 1, 97-3990 O.R.	=	10.14 AC.
LLA PAR. 2, 97-3990 O.R.	=	10.17 AC.
LLA PAR. 3, 97-3990 O.R.	=	9.78 AC., 9.95 AC.
LLA PAR. 4, 97-3990 O.R.	=	8.77 AC., 9.68 AC.
PARCEL 1 TOTAL	=	68.12 AC. 69.31 AC.

EASEMENT INFORMATION

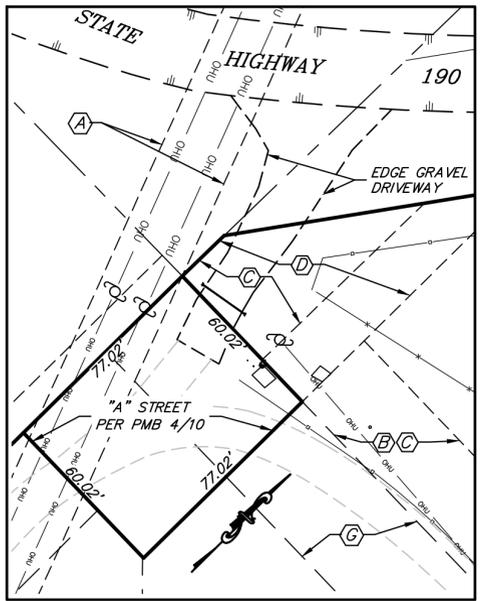
- (A) APPROX. LOCATION 25' POLE LINE EASEMENT PER 32/503 O.R.
- (B) 30' PIPELINE AND ROAD EASEMENT PER 198/99 O.R.
- (C) 30' PIPELINE AND ROAD EASEMENT PER 212/17 O.R.
- (D) 60' OFFER OF DEDICATION PER 90-758 O.R.
- (E) "B" STREET, 30' WIDE PER PMB 4/10
- (F) "SCHOOL" STREET, 30' WIDE PER PMB 4/10
- (G) 40' PRIVATE EASEMENT PER PMB 4/10
- (H) 10' EASEMENT TO L.A.D.W.P. PER PMB 4/68

LEGAL DESCRIPTION

PARCELS 1, 2, 3 AND 4 OF LOT LINE ADJUSTMENT NO. 187, PER CERTIFICATE OF COMPLIANCE RECORDED NOVEMBER 12, 1997 AS INSTRUMENT NO. 97-3990 IN THE OFFICE OF THE COUNTY RECORDER, AND PARCELS 3 AND 4 OF PARCEL MAP NO. 80 RECORDED IN BOOK 1 OF PARCEL MAPS AT PAGE 100 IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF INYO, STATE OF CALIFORNIA.

DESIGN NOTES:

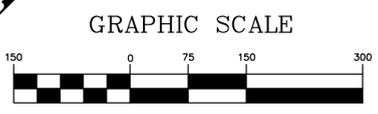
ACCESSOR'S PARCEL NO.: 33-500-03,-04,-14,-15,-16 & 17
ADDRESS: STATE HIGHWAY 190, OLANCHA, CA 93549
GROSS SITE AREA: 69.31± ACRES
EXISTING ZONING: RURAL RESIDENTIAL-5.0, MH
EXISTING GENERAL PLAN LAND USE DESIGNATION: RE-
PROPOSED GENERAL PLAN LAND USE: A-AGRICULTURE
WATER SUPPLY: INDIVIDUAL WELLS
SEWAGE DISPOSAL: INDIVIDUAL SEPTIC AND LEACHING SYSTEMS
ELECTRICITY: L.A.D.W.P.
TELEPHONE: VERIZON
FIRE PROTECTION: OLANCHA FIRE DEPARTMENT



DETAIL
SCALE: 1" = 40'

LEGEND

- ELECTRIC METER
- GUY WIRE
- POWER POLE
- WATER VALVE BOX
- SEWER CLEANOUT
- WATER HOSE BIB
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EDGE OF PAVEMENT
- WOOD FENCE
- WIRE FENCE
- OVERHEAD UTILITIES
- EXISTING GROUND CONTOUR



(IN FEET)
1 inch = 150 ft.
CONTOUR INTERVAL = 2'

PARCEL MERGER
TENTATIVE PARCEL MAP NO. 422
 LOCATED IN OLANCHA, CALIFORNIA, INYO COUNTY



post office box 1570
MAMMOTH LAKES, ca 93546
phone (760) 934-7588
fax (760) 934-5819
e-mail triad@triaholmes.com

873 NORTH MAIN STREET
BISHOP, ca 93514
phone (760) 873-4273
fax (760) 873-8024
e-mail bishop@triaholmes.com

777 woodside rd. suite a
REDWOOD CITY, ca 94061
phone (650) 366-0216
fax (650) 366-0298
e-mail sf@triaholmes.com

DATE	2-5-2020
SCALE	SHOWN
DRAWN	JSP
JOB NO.	04.0723
DWG	DWG
SHEET	1
OF	1 SHEETS

Z:\104 Bishop\4-0723 Lake Olancho LLC\CAD\04-0723 TFM Olancho.dwg Feb 06, 2020 - 11:19am, jpfeller

DRAFT ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION NO. 2019-02/OLANCHA LAKE RV AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING A 69.31-ACRE PARCEL LOCATED EAST OF THE COMMUNITY OF OLANCHA, (APNS 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17) FROM RURAL RESIDENTIAL WITH A 5-ACRE MINIMUM (RR-5) TO COMMERCIAL RECREATION WITH A 60-ACRE MINIMUM (C5-60)

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION I: AUTHORITY

This Ordinance is enacted pursuant to the police power of the Board of Supervisors and Sections 18.81.310 and 18.81.350 of the Inyo County Code, which establishes the procedure for the Board of Supervisors to enact changes to the Zoning Ordinance of the County as set forth in Title 18 of said code. The Board of Supervisors is authorized to adopt zoning ordinances by Government Code Section 65850 et seq.

SECTION II: FINDINGS

Upon consideration of the material submitted, the recommendation of the Inyo County Planning Commission, and statements made at the public hearings held on this matter, this Board finds as follows:

- (1) In accordance with Inyo County Code Section 18.81.320, OLANCHA LAKE, LLC applied to the Inyo County Planning Commission to have the zoning map of the County of Inyo amended from Rural Residential with a 5-acre minimum (RR-5) to Commercial Recreation with a 60-acre minimum (C5-60) as described in Section III of this Ordinance.
- (2) On May 27, 2020, the Inyo County Planning Commission conducted a public hearing on Zone Reclassification No. 2019-02/Olancha Lake RV, following which, the Commission made various findings and recommended that this Board amend Title 18, to rezone the property described in Section III of this Ordinance to Commercial Recreation with a 60-acre minimum (C5-60).
- (3) The findings of the Planning Commission are supported by the law and facts and are adopted by this Board.
- (4) Olancha Lake LLC applied to the Inyo County Planning Commission to have the Inyo County General Plan Land Use Map amended from Residential Estate (RE) to Resort Recreation (REC) to best match the requested zoning and the planned commercial recreational use on the property.

- (5) The proposed Zone Reclassification is consistent with the goals, policies, and implementation measures in the Inyo County General Plan, including the proposed General Plan Amendment.
- (6) The proposed actions will act to further the orderly growth and development of the County by rezoning the property to Commercial Recreation with a 60-acre minimum (C5-60) as it best matches the current and planned future uses on the property.

SECTION III: ZONING MAP OF THE COUNTY OF INYO AMENDED

The Zoning Map of the County of Inyo as adopted by Section 18.81.390 of the Inyo County Code is hereby amended so that the zoning on a 69.31-acre site as created by TPM 422 located east of the community of Olancho, south of State Route 190, CA (APNs 033-500-03, 033-500-04, 033-500-14, 033-500-15, 033-500-16, 033-500-17) is changed from Rural Residential a 5-acre minimum (RR-5) to Commercial Recreation with a 60-acre minimum (C5-60).

SECTION IV: EFFECTIVE DATE

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption hereof, this Ordinance shall be published as required by Government Code Section 25124. The Clerk of the Board is hereby instructed and ordered to so publish this Ordinance together with the names of the Board members voting for and against same.

PASSED AND ADOPTED THIS XXTH DAY OF JUNE, 2020.

AYES:

NOES:

ABSTAIN:

ABSENT:

Matt Kingsley, Chairperson
Inyo County Board of Supervisors

ATTEST:
Clint Quilter
Clerk of the Board

By: _____
Darcy Ellis, Assistant



Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX: (760) 873-2712
E-Mail: inyoplanning@inyocounty.us

AGENDA ITEM NO.: 6 (Action Item – Public Hearing)

PLANNING COMMISSION MEETING DATE: May 27, 2019

SUBJECT: Conditional Use Permit (CUP) 2020-01/GBUAPCD & Variance 2020-01/GBUAPCD

EXECUTIVE SUMMARY

The applicant has applied for a CUP and a height Variance to allow for the installation of an air monitoring station that consists of one instrument shelter, a meteorological tower, and a chain link fence enclosure, located at 866 E. Locust St. in Lone Pine, in Inyo County.

PROJECT INFORMATION.

Supervisory District: 5

Project Applicant: Great Basin Unified Air Pollution Control District, 157 Short Street, Bishop, CA 93514

Property Owner: Los Angeles Department of Water & Power

Site Address: 866 E. Locust St., Lone Pine CA 93545

Community: Lone Pine

A.P.N.: 026-060-24

General Plan: Agriculture (A)

Zoning: Rural Residential (RR-10.MH)

Size of Parcel: 67 acres

Surrounding Land Use:

Location:	Use:	Gen. Plan Designation	Zoning
Site	Vacant/LADWP)	Agriculture (A)	Rural Residential (RR-10)
North	Vacant/LADWP	Agriculture (A)	Rural Residential (RR-10)
East	Vacant/LADWP	Natural Resources (NR)	Open Space, 40 acre minimum (OS-40)
South	Residential/Tribal	Tribal Lands (TL)	Tribal Lands (TL)
West	Residential/private	Residential Medium Density (RM)	Single Residence/Mobile Home (RMH-5,800)

Staff Recommended Action:

1.) Approve the Conditional Use Permit (CUP) 2020-01/GBUAPCD & Variance 2020-01/GBUAPCD and certify that both actions are a Categorical Exemption under CEQA.

Alternatives:

- 1.) Deny the CUP & Variance.
- 2.) Approve the CUP & Variance with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

Project Planner:

Steve Karamitros

STAFF ANALYSIS

Background and Overview

The applicant has applied for a CUP to construct an air monitoring site to collect air quality data in the community of Lone Pine, making it possible for the District (GBUAPCD) to issue health advisories to the Lone Pine community. This would require an 8' x 8' monitoring shelter, one 33 foot tall meteorological tower, and a 6 foot tall fence enclosing the tower and shelter. The tower's specifications require 33 feet of height, which necessitates a Variance, since the maximum building height for the RR zoning designation is 30 feet. This site is located at 866 E. Locust St., in Lone Pine. The property is zoned RR, which allows for public and or quasi-public buildings of a public service nature, as a conditional use requiring Planning Commission approval [ICC 18.21.040 (C)]. The site is located at the eastern end of the residential area in Lone Pine and abuts an Open Space area. The surrounding area is zoned residential and open space.

Variance Request & Site Characteristics

The applicant, GBUAPCD, regulates air quality standards for LADWP. The City of Los Angeles owns the 67 acre parcel located at 866 E. Locust St., in Lone Pine. The constraints to development on this parcel are due to a 30-foot building height requirement for RR zoned properties. For purposes of accurate data collection, the District is proposing to extend the height by 3 feet to build a 33 foot monitoring tower. The proposed project parcel has two zoning designations. The zoning for the area of the proposed height variance is Rural Residential (RR), which comprises the 33-acre eastern side of the parcel. The other 34-acre, western half of the proposed project parcel is zoned Single Residence/Mobile Home Combined (RMH). This western half of the parcel shares the same zoning designation with the surrounding residential properties. The proposed parcel is currently vacant and no previous variance has been approved for this parcel. Development surrounding the parcel, to the west, is made up of single family homes. The undeveloped area surrounding the parcel, to the east, is made up of vacant open space property owned by the City of Los Angeles.

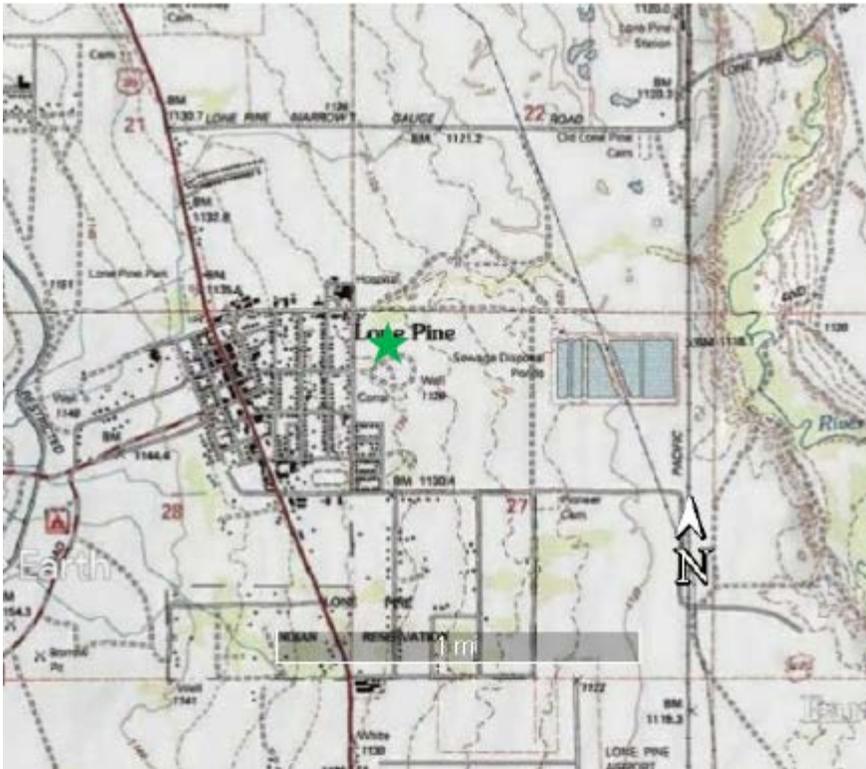
The residential properties surrounding the proposed project parcel are zoned RMH-5,800. These parcels to the west of the proposed variance all meet the minimum 5,800 square foot requirement and thirty-five foot height requirement. The proposed project's parcel, which falls within the RR zone, requires the following height requirement:

- A. Maximum height of buildings:
two and one half stories or thirty feet

The parcel is undeveloped and the land is currently used for cattle grazing. It is east of the former Trinity Church complex and southeast of the Southern Inyo Hospital. The proposed monitoring site is the most logical place on the parcel for the applicant's proposed monitoring tower due to its location adjacent to the Lone Pine community, existing road access, previous ground disturbance, and its proximity to a powerline. The proposed height of the tower (33') is 3 feet above what is allowed for principal structures on the property (30 feet).

|

Site Proximity Map



Site Location



General Plan Consistency

The goal of this project is to combine two existing air quality monitoring sites, located in Lone Pine, to one location within the community boundaries of Lone Pine. The project is consistent with the General Plan designation of Agricultural District (A) since the General Plan specifies that the (A) designation is conducive to “certain compatible nonagricultural” uses. It is also compatible with the County’s Land Use Policy 1.16, pertaining to LADWP, which states: “All General Plan land use designations shall allow for the implementation of Enhancement/Mitigation Projects and/or mitigation measures as described in the Inyo County-Los Angeles Long Term Ground Water Management Agreement and/or the 1991 Final Environmental Impact Report that addressed that agreement.” The proposed project aligns with this policy as the GBUAPCD has a special section of the California Health and Safety Code (§ 42316) that allows it to require LADWP to mitigate the air pollution they cause, and to pay the District's costs to monitor such air pollution, determine what needs to be done to solve the problems, and oversee the implementation of the solutions. The proposed project is directly pursuant to these goals and policies.

Zoning Ordinance Consistency

The proposed project is a CUP as it constitutes “a public and quasi-public building... [of a] public service nature.” These types of facilities are permitted as a conditional use within the RR zone and require approval from Planning Commission [ICC 18.21.040 (C)]. This project will meet a public service need, by monitoring the air quality of the surrounding Lone Pine area, which aligns with the intent of conditional uses as outlined in ICC 18.21.040.

Provision for Variances

The Inyo County Zoning Ordinance states that any variance to the terms of the Zoning Ordinance may be granted if such a variance would “not be contrary to its general intent or the public interest, where due to special conditions or exceptional characteristics of the property or its location or surroundings, a literal enforcement would result in practical difficulties or unnecessary hardships” (Section 18.81.040).

Further, the Zoning Ordinance states that the following three Findings must be affirmed in order for any variance to be granted:

1. That there are exceptional circumstances applicable to the property involved, or to the intended use, which do not generally apply to other property in the same district.
2. That the result would not be detrimental to the public welfare, or injurious to property in the vicinity.
3. That the strict application of the regulation sought to be modified would result in practical difficulties or hardships inconsistent with, and not necessary for the attainment of, the general purposes of this title.

In addition to the above Findings specified in the Inyo County Zoning Ordinance, California State Government Code requires the following Findings for any variance:

4. The proposed variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.
5. The proposed variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning regulation governing the parcel of property.
6. The proposed variance is consistent with the General Plan.
7. The requirements of the California Environmental Quality Act have been met.

Affirmative variance Findings must describe the special circumstances that act to physically differentiate the project site from its neighbors and make it unique, and thus uniquely justified for a variance; alternatively, negative findings must describe how the project's physical characteristics are not unique or exceptional, and therefore do not justify a variance.

ALL seven of the Findings must be affirmed in order for a variance to be approved.

ENVIRONMENTAL REVIEW

Conditional Use Permit 2020-01/GBUAPCD & Variance 2020-01/GBUAPCD were reviewed for compliance with the California Environmental Quality Act (CEQA) and were found to be exempt from further analysis, pursuant to Section 15303-New Construction or Conversion of small structures (Class 3) of the CEQA guidelines, as it "consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures."

NOTICING & REVIEW

The application for CUP 2020-01/GBUAPCD has been reviewed by the appropriate county departments and no issues were reported. This included reviews by the Environmental Health, Public Works, and the Treasurer's Office.

The public hearing date for this CUP was noticed on May 14, 2020 in the *Inyo Register* and mailed to property owners within 300-feet of the project location.

RECOMMENDATION

Planning Department staff recommends the approval of Conditional Use Permit No. 2019-01/GBUAPCD & Variance 2020-01/GBUAPCD, with the following Findings and Conditions of Approval:

FINDINGS for CUP 2020-01

1. The proposed Conditional Use Permit is a Categorical Exemption under CEQA guidelines and the provisions of the California Environmental Quality Act have been satisfied.

[Evidence: Pursuant to 14 California Code Regulatory Sections 15303 et seq., the proposed project is Categorically exempt (Class 3) of the CEQA guidelines, as it "consists of construction and location of limited numbers of new, small facilities

or structures; installation of small new equipment and facilities in small structures.”

2. The proposed Conditional Use Permit is consistent with the Inyo County General Plan Land Use designation of Agriculture (A).
[Evidence: The project is consistent with the General Plan designation of Agricultural District (A) as the facility is a “public [or] quasi-public use.” Furthermore, Inyo County’s General Plan states that “All General Plan land use designations shall allow for the implementation of Enhancement/Mitigation Projects and/or mitigation measures,” which applies to this air monitoring station, as it is meant to deal with the environmental & health impacts resulting from LADWP’s removal of water from the Owens Valley (Policy LU-1.16). The proposed project is consistent with this policy, since its goal is to monitor air quality in Lone Pine, accurately issue health advisories to the local community, and thereby enhance public health.]
3. The proposed Conditional Use Permit is consistent with the Inyo County Zoning Ordinance, which permits to construction of facilities such as the proposed air monitoring station.
[Evidence: Chapter 18.21-RR District requires a conditional use permit for “public and quasi-public buildings... [of a] public service nature” (ICC 18.21.040-C). The applicant’s air monitoring station is fully aligned with County zoning code, as a conditional use, as it will provide air quality information that enables the Air District to provide health advisories to the local community, making it a public service project.]
4. The proposed Conditional Use Permit is necessary or desirable.
[Evidence: The General Plan’s Land Use Implementation Measures state: ‘The County shall amend the Zoning Ordinance to allow for implementation of Enhancement/Mitigation Projects and/or mitigation measures as described in the Inyo County-Los Angeles Long Term Ground Water Management Agreement and/or the 1991 Final Environmental Impact Report that addressed that agreement.’ The applicant’s project is an enhancement/mitigation measure that addresses impacts to the community resulting from air quality issues occurring from LADWP’s water projects in the Owens Valley. This public health service is desirable as discussed in the County’s General Plan.]
5. The proposed Conditional Use Permit is properly related to other uses and transportation and service facilities in the vicinity.
[Evidence: The proposed conditional use permit is for a facility located approximately half a mile east of Main Street in Lone Pine. The project will be accessed and maintained via existing dirt roads: an unpaved extension of Locust Street runs east from the corner of Locust and Lakeview Streets, and an unnamed dirt road extends south from the Locust Street extension to Inyo Street, at the south end of town. The project will not cause negative impacts on transportation or service facilities in the vicinity.]

6. The proposed Conditional Use Permit would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.
[Evidence: The proposed conditional use permit is for a project designed to enhance public health by allowing the GBUAPCD to mitigate air quality impacts on behalf of LADWP by issuing public health advisories to residents of Lone Pine regarding local air quality and to issue appropriate directions to those residents. The project has been evaluated by the Department of Building & Safety and Environmental Health and will not create impacts on the health or safety of persons living or working in the vicinity, nor will it be materially detrimental to the public welfare.]
7. Operating requirements necessitate the Conditional Use Permit for the site.
[Evidence: Use of the property for the purposes of the proposed project requires a conditional use permit per Inyo County Code Section 18.21.040. Therefore, the conditional use permit is necessary for the continued operations at the site.]

Findings for Variance 2020-01

Staff has reviewed this application and can find that all seven of the required Findings can be affirmed:

1. That there are exceptional circumstances applicable to the property involved, or to the intended use, which do not generally apply to other property in the same district.
[Affirmative – Evidence: The property is zoned Rural Residential (RR), which sets a maximum structural height of 30 feet. The request for increased height to 33 feet is based on science and engineering requirements that specify this height in order to get accurate air quality measurements, allowing the District to issue health alerts to the community of Lone Pine as they arise. These engineering requirements have made it difficult for the applicant to design the air monitoring tower within the height requirement. Limiting the tower to the current structural height requirements has posed exceptional circumstances that make the project impossible without an encroachment into the height requirement.]
2. That the result would not be detrimental to the public welfare, or injurious to property in the vicinity.
[Affirmative – Evidence: Approving this variance will allow for an additional 3 feet of height on the proposed structure. Currently, the developed residential properties to the west of the proposed variance may build principle residential dwellings up to 35 feet, in the RMH zoning district, which exceeds the height requested by the applicant. The District’s request will not affect the properties located to the west. Views from these properties to the Inyo Mountains may be affected slightly. The property will be accessed and maintained via existing dirt roads: an unpaved extension of Locust Street runs east from the corner of Locust and Lakeview Streets, and an unnamed dirt road extends south from the Locust

Street extension to Inyo Street, at the south end of town. There is no potential for impacting neighboring properties to the west or south. The height will not cause a situation that could be considered detrimental to the public welfare as the proposed development is being done to enhance public welfare by providing air quality information necessary to the community.]

3. That the strict application of the regulation sought to be modified would result in practical difficulties or hardships inconsistent with, and not necessary for the attainment of, the general purposes of this title.
[Affirmative – Evidence: The proposed project site area is constrained by height limitations causing certain facilities, allowed under conditional use, to be limited with regard to their ability to provide accurate information. The RR zone allows for public or quasi-public buildings of a “public service nature” (ICC 18.21.040); however, in this case, limiting the height to the existing structure requirements (30 feet), creates difficulties/hardships for collecting the information needed to make accurate air quality assessments. Granting a variance to extend the tower’s height to 33 feet would still allow the general purposes of Title 18.21 (RR) of the Zoning Code to be fulfilled, as the height would not change the single-family, residential character, density, or use of the property.]
4. The proposed variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.
[Affirmative – Evidence: The project site is conforming with respect to its total area and its buildable space. The applicant has selected the monitoring station site due to its proximity to existing dirt roads and access to electrical utilities needed for the project. In addition, even though the surrounding residential properties are zoned RMH, they have allowable heights of up to 35 feet, which exceeds the height being requested by the variance. For all of these reasons, the requested variance to exceed the structure height requirement by 3 feet cannot be said to constitute a grant of special privileges. It would, instead, allow the applicant the ability to make effective use the property in a same manner consistent with allowed, conditional use, as well as staying within the height requirements in the surrounding RMH neighborhood.]
5. The proposed variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning regulation governing the parcel of property.
[Affirmative – Evidence: The proposed variance applies to building height requirements. The proposed air monitoring tower is permitted, as a conditional use, in the RR Zone.]
6. The proposed variance is consistent with the Inyo County General Plan
[Affirmative – Evidence: The requested variance presents no inconsistencies with the General Plan land use designation of the project site, which is Agriculture (A). Inyo County Land Use Policy 1.16 states: “All General Plan land use

designations shall allow for the implementation of Enhancement/Mitigation Projects and/or mitigation measures as described in the Inyo County-Los Angeles Long Term Ground Water Management Agreement and/or the 1991 Final Environmental Impact Report that addressed that agreement.” The proposed project variance is an enhancement measure, intended to mitigate the health effects from LADWP’s removal of water from the area, and the subsequent air quality effects resulting therefrom.]

7. The requirements of the California Environmental Quality Act have been met. [Affirmative – Evidence: The requested variance is not subject to the provisions of CEQA, being categorically exempt under Class 3 15303-New Construction or Conversion of small structures, as it “consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures.]

CONDITIONS OF APPROVAL

1. Hold Harmless

The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Conditional Use Permit No. CUP 2020-01/GBUAPCD & Variance 2020-01/GBUAPCD. The County reserves the right to prepare its own defense.

2. Compliance with County Code

The applicant/developer shall conform to all applicable provisions of Inyo County Code and State regulations. If the use provided by this conditional use permit is not established within one year of the approval date it will become void.

3. Additional Building Requirements

The project will follow all building requirements as set by the Inyo County Building and Safety Department. The applicant will work with and get all necessary permits from the Building and Safety Department and shall work with and follow any requirements set by the Department of Environmental Health.



**Planning Department
168 North Edwards Street
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Independence, California 93526**

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AGENDA ITEM NO.: 7 (Action Item – Public Hearing)

**PLANNING COMMISSION
MEETING DATE:** May 27, 2020

SUBJECT: Telecommunications Plan Update 2020-
01/Smartlink -ATT

EXECUTIVE SUMMARY

Smartlink LLC, representing ATT, has submitted an application to update ATT's existing Telecom Plan to add a co-location site on an already approved and built tower. ATT's current plan (adopted in April of 2003) includes a total of eleven existing wireless communication facilities. Six of these were approved in the 2003 plan. Others were approved under different carriers subsequently bought out by ATT and some are co-located on SBA, an independent owner's, towers. The current ATT network consists of the eleven sites within Inyo County with one of them located inside the Bishop City limits and not under the County's jurisdiction. This application is to update the current ATT Wireless Telecommunications Plan to include a co-location site in west Bishop on a tower recently approved for and built by Verizon Wireless. The update to ATT's telecom plan also includes a future site within the Bishop City limits. ATT is required to include this site in their telecom plan, but the County has no jurisdiction over its approval. This project is Exempt for CEQA.

PROJECT INFORMATION

Supervisory District: 2

Applicants: ATT, represented by Smartlink, LLC

Landowners: The tower is owned by Verizon Wireless, who leases the pole site from Alice and Richard Cassel.

Address/Community: 950 Tu Su Lane, Bishop

A.P.N.: 011-120-64

General Plan: Retail Commercial (RC)

Zoning: Highway Services and Tourist Commercial (C2)

Surrounding Land Use:

Location	Use	General Plan Designation	Zone
Site	Bishop Automotive storage area; leased area for cell tower	Retail Commercial (RC)	Highway Services and Tourist Commercial (C2)
North	Chevron gas station and Bishop Automotive	Retail Commercial (RC)	Highway Services and Tourist Commercial (C2)
East	Mini-storage facility	Retail Commercial (RC)	Highway Services and Tourist Commercial (C2)
South	Tribal lands/residential	N/A	N/A
West	Tribal lands/residential	N/A	N/A

Recommended Action:

- 1.) Find the proposed project exempt from the requirements of the California Environmental Quality Act.
- 2.) Make certain Findings with respect to, and approve, Telecommunications Plan Update #2020-01/Smartlink - ATT.

Alternatives:

- 1.) Deny Telecom Plan Update #2020-01/Smartlink-ATT thereby not allowing the applicant to update its Telecommunications Plan and denying the co- location of cellular service antennas.
- 2.) Continue the public hearing to a future date, providing specific direction to staff regarding what additional information and analysis is needed.

Project Planner: Cathreen Richards

BACKGROUND

Project Description

This is a request for the approval of an update to ATT's existing telecommunications plan on file with the County. Smartlink, LLC has submitted an application to the County for a building permit to: co-locate a new 15'x30' equipment area for a generator and electrical equipment cabinets; add nine 6' antennas and add one microwave antenna to an existing 100' mono-pine-pole located at 950 Tu Su Lane in the community of west Bishop. This location is not included in the approved ATT telecom plan on file with the County, which makes this update necessary per the County's Telecommunications Ordinance and that requires approval by the Planning Commission.

Inyo County Code

Wireless Communication in Inyo County is governed by Chapter 18.76 of the Inyo County Code – Regulation of Wireless Communication Facilities. Section 18.76.050(A) requires all Telecommunications Plans in the County be approved by the Planning Commission and under 18.76.050(K) it requires that once they are approved, any amendments to telecommunications plans must also be approved by the Planning Commission. It also establishes that in considering an amendment, the planning commission shall be guided by the relevant portions of Chapter 18.76. In this particular case the applicant has provided the materials needed to address the relevant portions with regard to the plan update (Plan Update attached). This project is designed to fill service gaps between existing telecommunication's sites, specifically in the Bishop area. Under Chapter 18.76, the County encourages the placement and joint use or "co-location" of wireless communications facilities on existing structures, as opposed to the construction of new structures and facilities.

STAFF ANALYSIS

General Plan Consistency

The Inyo County General Plan designates this site as Retail Commercial (RC). The RC designation provides for retail and wholesale commercial uses, service uses, offices, public and quasi-public uses, and similar and compatible uses. The communications facility is consistent with the use as a quasi-public use for utility provision.

In addition to the General Plan land use designation, the proposed project is consistent with the following two General Plan Policies, which are located within the Public Services & Utilities Element:

1. Policy PSU 7.1: Provision of Services: The County shall encourage the provision of communications and telecommunications service and facilities to serve existing and future needs.
2. Policy PSU 7.5: Communication Towers: The County shall require compliance with the Wireless Communications Guidelines for siting of communication towers in unincorporated areas of the County.

Zoning Ordinance Consistency

The proposed site that ATT identified to be added to their Telecommunications Plan is zoned Retail Commercial (C2). The C2 zone allows for public and quasi-public buildings and uses of administrative, recreational, educational, religious, cultural, or public utility or service.

The monopole and telecommunications antennae are considered a quasi-public utility use.

Chapter 18.76 “Regulation of Wireless Communications Facilities,” allows for wireless communication facilities within the C2 zone, but requires a Conditional Use Permit (CUP) or Variance if such a facility exceeds the maximum height allowed in that district for principal permitted uses. Verizon Wireless obtained the CUP and height Variance for the existing tower. Since this is a co-location project ATT only needs to update their telecom plan.

Review of Wireless Plan (ICC §18.76.050)

Section 18.76.050(K) of the Inyo County Code, states that once Telecommunications Plans are approved, any amendments to those plans must also be approved by the planning commission. It also establishes that in considering an amendment, the planning commission shall be guided by the relevant portions of chapter 18.76. Section 18.76.050(E) of the ICC outlines the requirements for approval of telecommunications plans and specifies that, “after discharging its duties as the environmental review board in accordance with ICC §15.12.040, the Planning Commission shall approve the wireless communications plan if it finds:

- That the Plan is in substantial compliance with the requirements of this chapter (i.e., Chapter 18.76).
This is an update to the existing ATT Wireless Telecommunications Plan that was approved by the Planning Commission in April of 2003. This plan met all of the requirements set forth in Chapter 18.76 at the time of approval. The update is to add one co-location site on an existing mono-pine-pole that was approved by the County and built by Verizon Wireless. Adding this site to the ATT Plan will ensure that the Plan is compliant with the requirements of Chapter 18.76.050(K).
- That the applicant has made a good faith effort and commitment to meeting the standards and goals of this chapter.
ATT has an adopted Telecommunications Plan that is on file with the County and is updating that plan with the proposed co-location site. These actions show a good faith effort by the applicant to meet the standards and goals of Chapter 18.76 and more specifically 18.76.050(E) and (K) and will result in a Plan that is compliant with County Code.
- That none of the entities listed in subsection B(4) have interposed an objection to the plan (i.e., Edwards, China Lake or Ft. Irwin).
This is an update to the existing ATT Telecommunications Plan that was approved by the Planning Commission in April of 2003. The entities listed under B(4) did not provide any objections to this Plan during its adoption process. The use of this mono-pine-pole was established by a CUP and height Variance for Verizon Wireless. None of the listed entities had objections to the original plan.
- That execution of the plan will not pose or create a threat to the health, safety, or welfare of the public.”
This is an update to an already adopted Telecommunications Plan for the co-location of antennas on an already approved and built mono-pine-pole. This location is

approximately 180 feet from the nearest residence to the northeast, 120 feet from the nearest residence to the south, and 270-feet from the nearest residence to the northwest, which exceeds the fall distance to all. This proposal to co-locate a 15'x30' equipment area for a generator and electrical equipment cabinets; add nine 6'antennas and add one microwave antenna will require all pertinent building and electrical permits from the County Building and Safety Department. This process will help to ensure all State and local building and safety standards are followed; therefore, the execution of the Plan does not pose threats to the health, safety or welfare of the public.

ENVIRONMENTAL REVIEW

The proposed project is to co-locate a new 15'x30' equipment area for a generator and electrical equipment cabinets; add nine 6'antennas and add one microwave antenna is located on a site that is zoned C2. The existing tower, any antennas, or appurtenant equipment are allowed as a principal permitted use as a quasi-public utility use under the C2 designation and does not require CEQA review. The height of the tower would require a Variance under 18.49. In this case, since the mono-pine-pole is already built and already has an approved CUP and Variance these actions are not necessary. Since telecommunications plan update is proposed for a site with an already built facility that is located on an already disturbed site, it is exempt under the CEQA "General Rule" Section 15061(b)(3) that states: The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment.

Public Notice:

Notice of this Planning Commission public hearing was published in the May 16, 2020 edition of the Inyo Register newspaper and mailed to property owners of record within 300 feet of the subject properties.

As of the date of this staff report, no comments have been received as a result of this public hearing notice.

RECOMMENDATIONS

Find the proposed project exempt from the requirements of the California Environmental Quality Act; make the findings specified below; and, approve the ATT Wireless Telecommunications Plan Update 2020-01 subject to Conditions of Approval.

Recommended Findings

1. This proposed Telecommunications Plan Update is covered by the General Rule 15061(b)(3) *The proposed Plan Update is covered by the CEQA General Rule CEQA Guidelines Section 15061(b)(3) that states CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This update is to add a site to the ATT network outlined in the ATT Wireless Telecommunications Plan that is co-located on an already approved and built mono-pine-pole on an already disturbed site that is graded and developed with an existing tower, an auto repair shop, and parking area.*

2. The proposed Telecom Plan Update is consistent with the Inyo County General Plan. *The Plan Update conforms to the land use designation of Retail Commercial that allows for quasi-public uses. The communications facility is consistent as a quasi-public use for utility provision.*
The Plan Update also complies with Policy PSU 7.1: Provision of Services: The County shall encourage the provision of communications and telecommunications service and facilities to serve existing and future needs; and, Policy PSU 7.5: Communication Towers: The County shall require compliance with the Wireless Communications Guidelines for siting of communication towers in unincorporated areas of the County.

3. The proposed Telecom Plan is consistent with the Inyo County Zoning Chapter 18.48 Highway Services and Tourist Commercial (C2).
The Telecom Plan Update, as proposed, meets all the requirements of Chapter 18.48 of the Inyo County Code, and the required findings as set forth in ICC §18.76 as described above.

4. This Commission further finds that the proposed Telecom Plan is consistent with Chapter 18.76 of the ICC required findings as discussed above:
 - a. That the plan is in substantial compliance with the requirements of this chapter;
 - b. That the applicant has made a good faith effort and commitment to meeting the standards and goals of this chapter;
 - c. That none of the entities listed in subsection B.4. (military) have objected to the plan; and
 - d. That execution of the plan will not pose or create a threat to the health, safety, or welfare of the public.

5. This Commission further finds that the existing public and private services are adequate to meet the requirements of the proposed Telecom Plan without the need for their expansion.
All services are currently in place at the pre-existing tower site proposed in the Telecom Plan update, including electrical power and roadway access. This project will not result in the expansion of existing services, nor require the development of additional services, the construction of which could cause significant environmental effects.

Recommended Conditions of Approval for Telecommunications Plan Update #2020-01/Smart Link

1. Hold Harmless:
The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action, or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning said approval of Telecommunications Plan Update #2020-01/Smart Link.
2. Conformance with Approved Wireless Telecom Plan:
All subsequent development of wireless communications facilities under this Telecom Plan including this update shall be in substantial conformance with the approved ATT

Telecommunications Plan. If future proposals are not in substantial conformance with the approved Plan, a request for approval of a modification to the approved Plan shall be submitted to the Planning Commission for approval prior to consideration of any subsequent applications, or development of wireless communications facilities in Inyo County.

ATTACHMENT:

- ATT Proposed Telecom Plan Update



Smartlink, LLC
3300 Irvine Ave Suite #300
Newport Beach, CA 92660

AT&T Wireless
Wireless Communications Plan – Inyo County, California
[-Proposed Network Design for Inyo County-]

September 4, 2002

Revised 2/14/03

Revised 3/30/20

1.0 Introduction

AT&T is one of several providers licensed by the Federal Communications Commission to provide cellular service to the County of Inyo. AT&T Wireless (“AW”) is federally mandated to provide coverage in areas where it is a licensee.

Currently, AW has eleven (11) wireless communications facilities in Inyo County.

Through this existing and revised Wireless Service Telecom Plan and its accompanying applications, AT&T is continuing its commitment to provide its services throughout this region to help ensure wireless communications access to emergency and public safety personnel. This includes AT&T’s win of a bid from the US Federal Government for FirstNet, a proprietary network frequency solely for First Responders and law enforcement. Significant planning has gone into the network’s design for FirstNet, and for Inyo County to ensure the existing and proposed facilities will benefit the health, welfare, safety and convenience of Inyo County residents as well as those who visit and/or do business in the County.

2.0 Network Development Summary

To continue addressing consumer demand and the growing need of wireless service in Inyo County, AT&T (*Smartlink on behalf of AT&T*) is proposing the development of two (2) wireless telecommunication facilities: one as a collocation on an existing Verizon mono-pine at 950 North Tu Su Lane, Bishop, CA 93514 and another at 993 North Main Street, Bishop, CA 93514 that is not being processed by Smartlink, LLC.

As a wireless service provider the focus of AW’s network deployment is on the use on the use of collocation on existing structures. Existing wireless facilities, commercial, or industrial buildings and public utility structures, such as, water tanks and electric utility poles are sought as the primary candidates for wireless sites due to their minimal visual impacts.

AW, through its turf vendor for leasing and entitlements, Smartlink LLC, is pursuing the least visually obtrusive means of filling a significant gap in coverage for its Inyo County network. An existing facility which was structurally capable, land use compliant, radio frequency engineering feasible and within AW’s business parameters were selected. The result of this diligence results in AT&T CSL02817 at North Tu Su Lane as a collocation.

3.0 Project Objectives

A wireless carrier requires the installation of a cell site within a specified area to close a “significant gap in coverage.” Other criteria for selecting sites include the following:

- The radio signal must be of sufficient strength to achieve consistent, sustainable, and reliable service to customers at a *level sufficient for outdoor, in-vehicle, and in-building penetration with good voice quality* (Threshold, 15.85 db).
- When nearby other sites become overloaded and more enhanced voice and data services are used (4G and other high-speed data services), signal contracts and a gap is created. With heavy use it is intensified due to the unique properties of digital radio transmissions.

In this specific case, AT&T's radio-frequency engineers (RF) have identified a significant gap in coverage in the vicinity of West Bishop in Inyo County.

4.0 Evaluation of Proposed Sites:

CSL02817 – This facility is a collocation upon a proposed Verizon Wireless communications tower disguised as a faux-monopine tree at 100' AGL in height at 950 North Tu Su Lane, Bishop, CA 93514. This is located within a privately-owned compound which is an automotive center owned by a husband and wife as joint tenants. AT&T's proposed antenna height centerline will be at 73' AGL. There is also a potential 2' Microwave antenna at 65' AGL. The Azimuths will be 35, 225 and 300 degrees within a three (3) sector, three (3) panel antennae per Sector array. AT&T's scope of work also includes: (1) DC Power Plant, (1) FIF Rack, (1) GPS antenna, (3) DC-12 outdoor units, (9) 6' panel antennas, (15) LTE RRUs at antenna level (5 per sector), (4) Dc-9 surge suppressors (SQUID) with a total lease area of 450 sq ft provided by the private ground owner. The property is zoned C-3 Commercial. APN: 011-120-64. There will be propagation maps provided for this site in the Exhibits of this Telecom Plan.

CSL04794 – This facility does not yet have Drawings or a Site Plan but the location is at 993 North Main Street, Bishop, CA 93514, Coordinates: (37.3716370 , -118.3971450) and the proposed antenna centerline is 46' AGL with Azimuths of 10, 140 and 230 degrees. There is also propagation maps provided for this site.

5.0 Existing Sites:

The previous Telecom Plan discussed the strategic development of six (6) wireless communication facilities along Highway 395:

AW Site ID No.	Design Type	Configuration	Address/location	Lessor/Owner
950002024	Collocation	3 Sector, 2 Antenna per Sector, Antenna height 140' cabinets on ground	Existing SBA Tower at Kern/Inyo County line on east side of Highway 395	SBA Towers, Inc.
950002021	Collocation	3 Sectors, 2 antennae per sector, Antenna height 140', cabinets on ground	Gil Station Coso Road, Little Lake	SBA Towers, Inc.
950002018	Monopole	3 sectors, 2 antennae per sector, Antenna height 80', cabinets on ground	450 E. Sage Flat Road, Olancha	William & Francis Fritcher
950002016	Monopole	3 sectors, 2 antennae per sector, Antenna height 80', cabinets on ground	300 W. Lake Street, Cartago	Stephen Smyth
950002015	Collocation	3 Sectors, 2 antennas per Sector, Antenna height 70', cabinets on ground	Narrow Gauge Road, Lone Pine	LA Department of Water & Power
950002014	Collocation	3 Sectors, 2 antennas per Sector, Antenna height 80', cabinets on ground	Highway 365 and Cottonwood Powerhouse Rd in Inyo Nat. Forest	LA Department of Water and Power

(Table 1)

The relationship between these 6 initially applied sites is they complement and amplify each other along the 395 Freeway. See attached Propagation Maps from the older Telecom Plan to understand this relationship better. Antennas need a line of sight to neighboring towers and to be connected to 3 other sites simultaneously to create a honeycomb connection to the area between and around the towers. Thus all 6 of these are linked along the freeway to create a vertical area of coverage along the highway its installed in. This network has been successful in providing reliable coverage to the area.

This is an updated list of the current on-air sites in Inyo County:

Site ID	ADDRESS	CITY	COUNTY	STATE	ZIP	FA	Antenna size/Type	Design Configuration
CSL01028	LONE PINE NARROW GAUGE ROAD	LONE PINE	INYO	CA	93545	10139957	4' panel	3 sectors @ 130'
CSL01012	SW 1/4 NW 1/4 S 19 T 6 S R 35 E	BISHOP	INYO	CA	93514	10139951	2' panel	3 sectors @ 23'
CSL01052	TOWNSHIP 16 STATE	LONE PINE	INYO	CA	93545	10139959	8' Omni & 4' panel	2 Sectors @ 33'
CSL01027	155 PIONEER LANE	BISHOP	INYO	CA	93514	10139950	8' panel	3 Sectors @ 183'
CSL01015	801 REDDING CANYON ROAD	BISHOP	INYO	CA	93514	10068052	8' panel	3 Sectors @ 57'
CSL01031	HIGHWAY 395 AND LITTLE LAKE ROAD	LITTLE LAKE	INYO	CA	93542	10094644	8' panel	3 Sectors @ 70'
CSL01030	50 GIL STATION ROAD	LONE PINE	INYO	CA	93545	10086810	8' panel	2 Sectors @ 149'
CSL01029	1241 SAGE FLAT ROAD	OLANCHA	INYO	CA	93549	10094643	6' panel	3 sectors @ 131'
CSL01022	1090 MAZOURKA CANYON	INDEPENDENCE	INYO	CA	93526	10068054	6' panel	3 sectors @ 134'
CSL01019	700 POVERTY HILLS ROAD	BIG PINE	INYO	CA	93513	10068053	8' panel	3 Sectors @ 105'
CSL01032	HIGHWAY 395 AND PEARSON ROAD	OLANCHA	INYO	CA	93549	10086797	4' panel	2 Sectors @ 148'

(Table 2)

Frequencies per Call sign:

CALL SIGN	BLOCK	COUNTY	STATE	Bandwidth	FREQUENCIES TX	FREQUENCIES RX
WPWV247	C	Inyo	CA	12	740-746	710-716
WQKH494	B	Inyo	CA	12	734-740	704-710
KNKN209	A	Inyo	CA	25	869-880	824-835
KNKN209	A	Inyo	CA	25	890-891.5	845-846.5
KNLF205	B35	Inyo	CA	20	1955-1965	1875-1885
KNLG472	D	Inyo	CA	10	1945-1950	1865-1870
WQHT993	B14	Inyo	CA	10	1950-1955	1870-1875

These sites are spread across the County to provide service to all areas its needed. Individually they are not as critical but the overall interconnection and mesh network from the establishment of all these sites and the frequency/networks connections they make is a crucial aspect to AT&T's coverage across the country. The sites in the same cities, CSL01012, CSL01027 CSL01015 and the newly proposed CSL02817 are all in Bishop and responsible for each others' ability to provide coverage or capacity in an area where there is a significant gap. CSL01028, CSL01030 and CSL01052 are all around the Lone Pine area and have interconnecting sectors that can help amplify and/or offload a triggering sector with too much network demands that it wouldn't be able to provide without the connection between the other towers. The two Olancho sites similarly help each other, CSL01029 and CSL01032. Although upon initial view a lot of these sites could be considered far from the other sites, but it needs to be said that in a County with lots of empty area with little network hindrances the need for individual towers is lessened because they are taller and provide a large line of sight with minimal obstruction vertically or horizontally. Thus, some of these 100ft+ towers are able to link up to towers miles away because of the lack of interference and the clean, high line of sight to neighboring towers.

6.0 GENERAL INFORMATION

Site Selection

Customer demand drives the need for new cell sites. Data relating to incomplete and dropped calls is gathered, drive-tests are conducted, and scientific modeling using sophisticated software is evaluated. Once the area requiring a new site is identified, a target ring on a map is provided to a real estate professional to begin a search for a suitable location.

During an initial reconnaissance, properties selected for evaluation for installation of a cell site must be located in the general vicinity of the ring, possess an appropriate zoning designation, and appear to have enough space to accommodate an antenna structure and supporting radio equipment. The size of this space will vary depending on the objective of the site. The owners of each prospective location are notified to assess their interest in partnering with AT&T.

Four key elements are considered in the selection process:

- **Leasing:** The property must have an owner who is willing to enter into a long-term lease agreement under very specific terms and conditions.
- **Zoning:** It must be suitably zoned in accordance with local land-use codes to allow for a successful permitting process.
- **Construction:** Construction constraints and costs must be reasonable from a business perspective, and the proposed project must be capable of being constructed in accordance with local building codes and safety standards.

- RF: It must be strategically located to be able to achieve the RF engineer's objective to close the significant gap with antennas at a height to clear nearby obstructions.

The Benefits to the Community

Approximately 90-percent of American adults subscribe to cell phone service. People of all ages rely increasingly on their cell phones to talk, text, send media, and search the Internet for both personal and business reasons. More and more, they conduct these activities in their homes, therefore, becoming reliant on adequate service within residential neighborhoods. In fact, 50-percent of people who relocate are not signing up for landline service at their new location and are using their cell phone as their primary communication method.

The installation and operation of the proposed facility will offer improved:

- Communications for local, state, and federal emergency services providers (i.e., police, fire, paramedics, and other first-responders).
- Personal safety and security for community members in an emergency, or when there is an urgent need to reach family members or friends. Safety is the primary reason parents provide cell phones to their children. Currently 25 percent of all preteens, ages 9 to 12, and 75 percent of all teens, aged 13 to 19, have cell phones.
- Capability of local businesses to better serve their customers.
- Opportunity for a city or county to attract businesses to their community for greater economic development.
- Enhanced 911 Services (E911) – The FCC mandates that all cell sites have location capability. Effective site geometry within the overall network is needed to achieve accurate location information for mobile users through triangulation with active cell sites. (Over half of all 911 calls are made using mobile phones.)

Safety – RF is Radio

The FCC regulates RF emissions to ensure public safety. Standards have been set based on peer-reviewed scientific studies and recommendations from a variety of oversight organizations, including the National Council on Radiation Protection and Measurements (NCRP), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Environmental Protection Agency (EPA), Federal Drug Administration (FDA), Occupational Safety and Health Administration (OSHA), and National Institute for Occupational Safety and Health (NIOSH).

Although the purview of the public safety of RF emissions by the FCC was established by the Telecommunications Act of 1996, these standards remain under constant scrutiny. All AT&T cell sites operate well below these standards, and the typical urban cell site operates hundreds or even thousands of times below the FCC's limits for safe exposure.

AT&T Company Information

AT&T is one of the fastest growing nationwide service providers offering all digital voice, messaging and high-speed data services to nearly 30 million customers in the United States.

AT&T is a “telephone corporation”, licensed by the Federal Communications Commission (FCC) to operate in the 872-1962 MHz and 827-1877 MHz frequencies, and a state-regulated Public Utility subject to the California Public Utilities Commission (CPUC). The CPUC has established that the term “telephone corporation” can be extended to wireless carriers, even though they transmit signals without the use of telephone lines.

AT&T will operate this facility in full compliance with the regulations and licensing requirements of the FCC, Federal Aviation Administration (FAA) and the CPUC, as governed by the Telecommunications Act of 1996, and other applicable laws.

We believe the information contained in this plan, and its accompanying site applications represent good land use planning principles, which are in conformity with the Inyo County Wireless Communications Facilities Codes and Regulations. Therefore, AT&T respectfully requests a favorable determination and approval of these Planning and Building applications to build the proposed facilities and hopefully more in the future. Please contact Alexis Dunlap at (949) 838-7313 or at alexis.dunlap@smartlinkllc.com or Robert Sturtevant (AT&T PM) at rs1468@att.com

Respectfully submitted,

Smartlink, LLC on behalf of AT&T Wireless

Exhibit A

List of Military Installations and Others Copied

United States Air Force
Edwards Air Force Base

Dr. Robertson, David K.
Executive Director
Air Force Test Center
1 South Rosamond Blvd.
Edwards Air Force Base, CA 93524-1001

United States Navy
China Lake Naval Air Weapons Station

China Lake Quarterdeck
1 Administration Circle (Bldg 00001)
Ridgecrest, CA 93555

United States Army
Fort Irwin, California

Building #109
Fort Irwin, CA 92311-0000

County Airports
P.O. Drawer "Q"
Independence, CA 93526

Owens Valley Radio Observatory – Caltech (CIT)

1200 East California Blvd

Pasadena, CA 91125

U.S. Postal Service™
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BAKSTOWN, CA 92311

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$2.00
Total Postage and Fees	\$5.55



Sent To: Building #109 - US Army Fort Irwin
 Street and Apt. No., or PO Box No.

City, State, ZIP+4®: Fort Irwin, CA 92311-0000

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™
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EDWARDS, CA 93524

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$2.00
Total Postage and Fees	\$5.55



Sent To: Dr. Robertson, David - Edwards AFB
 Street and Apt. No., or PO Box No.

City, State, ZIP+4®: 1 South Rosamond Blvd, Edwards AFB, CA 93524-1001

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1120 0000 7638 4445

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For delivery information, visit our website at www.usps.com®.

RIDGECREST, CA 93555

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$2.00
Total Postage and Fees	\$5.55



Sent To: China Lake Quarterdeck
 Street and Apt. No., or PO Box No.

City, State, ZIP+4®: Administration Circle Bldg 00001, Ridgecrest, CA 93555

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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PASADENA, CA 91125

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$2.00
Total Postage and Fees	\$5.55



Sent To: Cal Tech - Owens Valley Radio Observatory
 Street and Apt. No., or PO Box No.

City, State, ZIP+4®: 1200 East California Blvd, Pasadena CA 91125

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1120 0000 7638 4421

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INDEPENDENCE, CA 93526

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$2.00
Total Postage and Fees	\$5.55



Sent To: County Airports (Inyo)
 Street and Apt. No., or PO Box No.

City, State, ZIP+4®: PO Drawer Q, Independence, CA 93526

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1120 0000 7638 4414

Exhibit B

Applicant's Commitment to Comply with Inyo County Ordinance

The Applicant, AT&T Wireless, in accordance with Section 1, Chapter 18.76.050(B3), Wireless Communications Plans and Subsequent Applications, attests to comply with the standards and measures in the Inyo County Code.

The Applicant will design, construct, deploy, operate and maintain its facilities in compliance with all applicable Federal, State of California, and Inyo County codes.

Exhibit C

Applicant's Agent Information

In compliance with Chapter 18.76.050(B5) of the Inyo County Code, please find below the name and address of the party to receive all correspondences and notices from Inyo County on the Applicant's behalf:

Dino Romeo - Real Estate Specialist

Smartlink, LLC on behalf of AT&T

3300 Irvine Avenue #300

Newport Beach, CA 92660

dino.romeo@smartlinkllc.com / (949) 444-4871

Alexis Dunlap - Project Manager

Smartlink, LLC

alexis.dunlap@smartlinkllc.com / (949) 838-7313

Robert Sturtevant - Project Manager

AT&T Mobility – NSB Site Acquisition

Rs1458@att.com / (714) 473-7268

Exhibit D

Photosimulations of Proposed Facilities

Exhibit E

Propagation Maps for CSL02817, CSL04974, the original 6-site deployment, and current network coverage for all of Inyo County



AT&T

CSL02817

TU SU

950 NORTH TU SU LANE, BISHOP, CA 93514



VIEW 1



LOCATION

©2017 GOOGLE MAPS



PROPOSED AT&T PANEL ANTENNAS
ON EXISTING MONOPINE



EXISTING

PROPOSED

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT. THE PROPOSED INSTALLATION IS AN ARTISTIC REPRESENTATION AND IT IS NOT INTENDED TO BE AN EXACT REPRODUCTION.



AT&T

CSL02817

TU SU

950 NORTH TU SU LANE, BISHOP, CA 93514



VIEW 2



LOCATION

©2017 GOOGLE MAPS



EXISTING

PROPOSED

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT. THE PROPOSED INSTALLATION IS AN ARTISTIC REPRESENTATION AND IT IS NOT INTENDED TO BE AN EXACT REPRODUCTION.



AT&T

CSL02817

TU SU

950 NORTH TU SU LANE, BISHOP, CA 93514



LOCATION ©2017 GOOGLE MAPS

VIEW 3



EXISTING

PROPOSED

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LTE Justification Plots

Market Name: Los Angeles

Site ID: : CSL02817

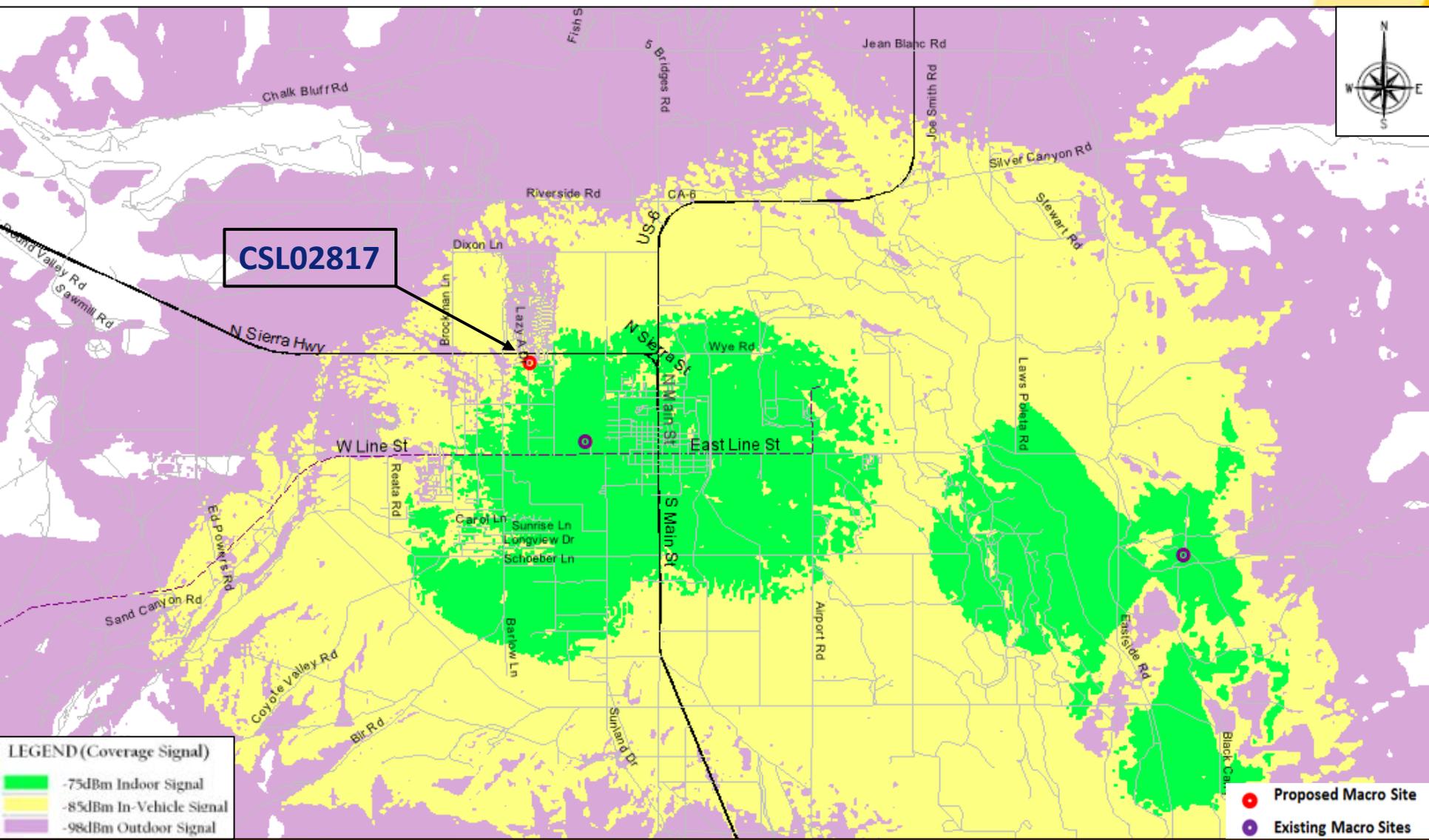
Site Name: : TU SU

Site Address: 950 NORTH TU SU LANE, BISHOP, CA 93514

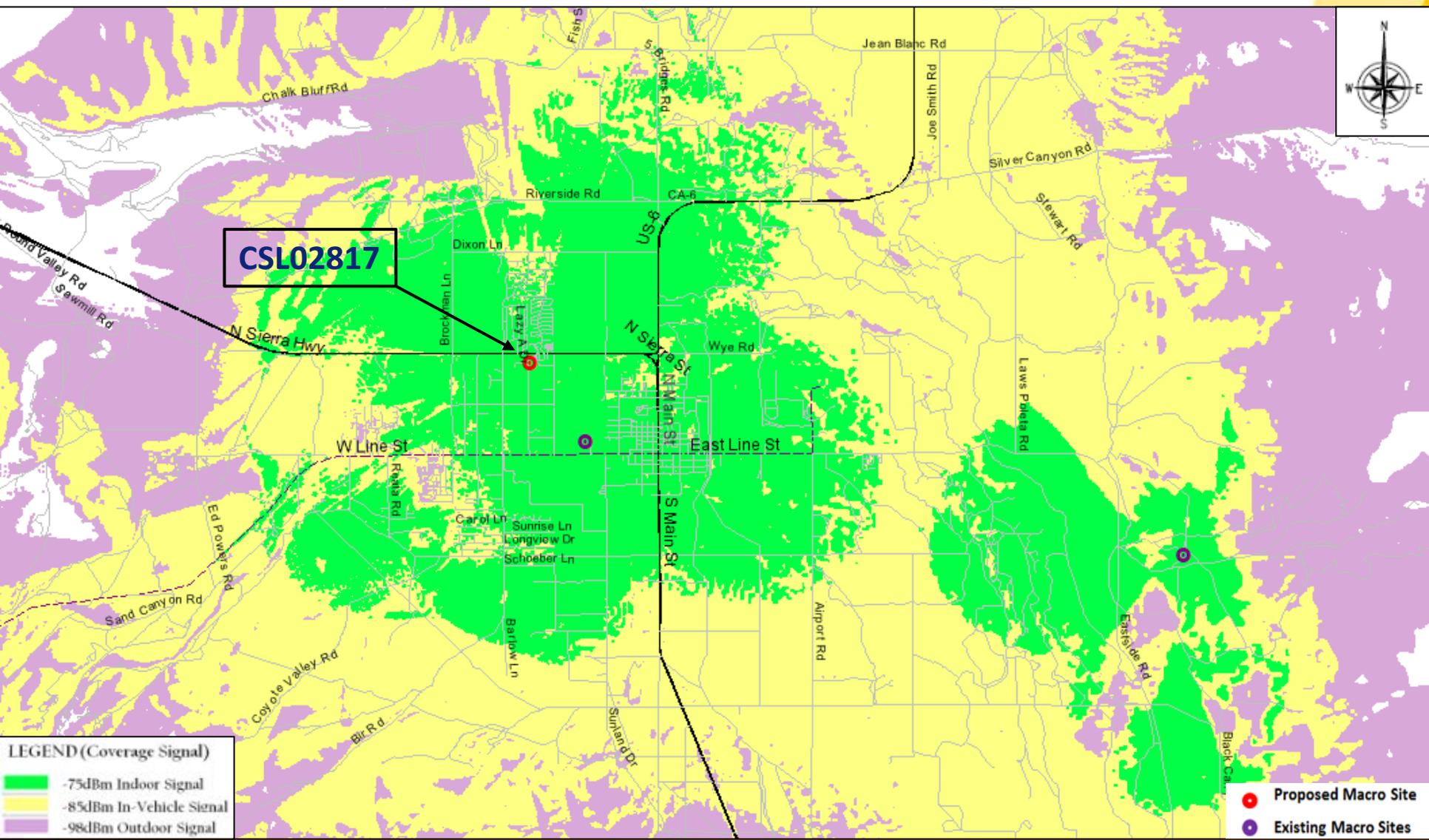
ATOLL Plots Completion Date: Mar 12, 2020

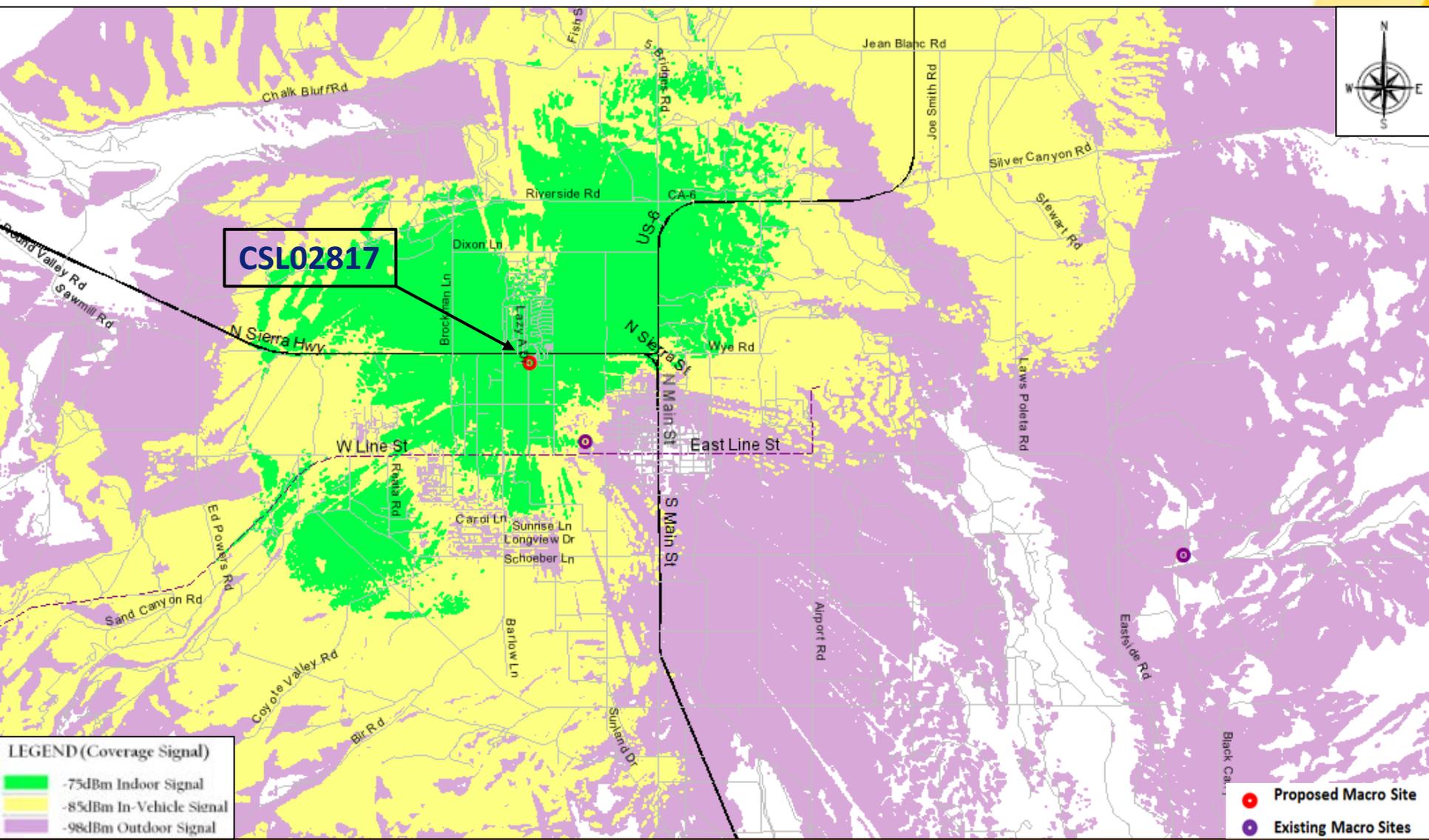


LTE Coverage Before site CSL02817



LTE Coverage After site CSL02817





Coverage Legend



In-Building Service: In general, the areas shown in dark green should have the strongest signal strength and be sufficient for most in-building coverage. However, in-building coverage can and will be adversely affected by the thickness/construction type of walls, or your location in the building (i.e., in the basement, in the middle of the building with multiple walls, etc.)

In-Transit Service: The areas shown in the yellow should be sufficient for on-street or in-the-open coverage, most in-vehicle coverage and possibly some in-building coverage.

Outdoor Service: The areas shown in the purple should have sufficient signal strength for on-street or in-the-open coverage, but may not have it for in-vehicle coverage or in-building coverage.

LTE Justification Plots

Market Name: Los Angeles

Site ID: : CSL04794

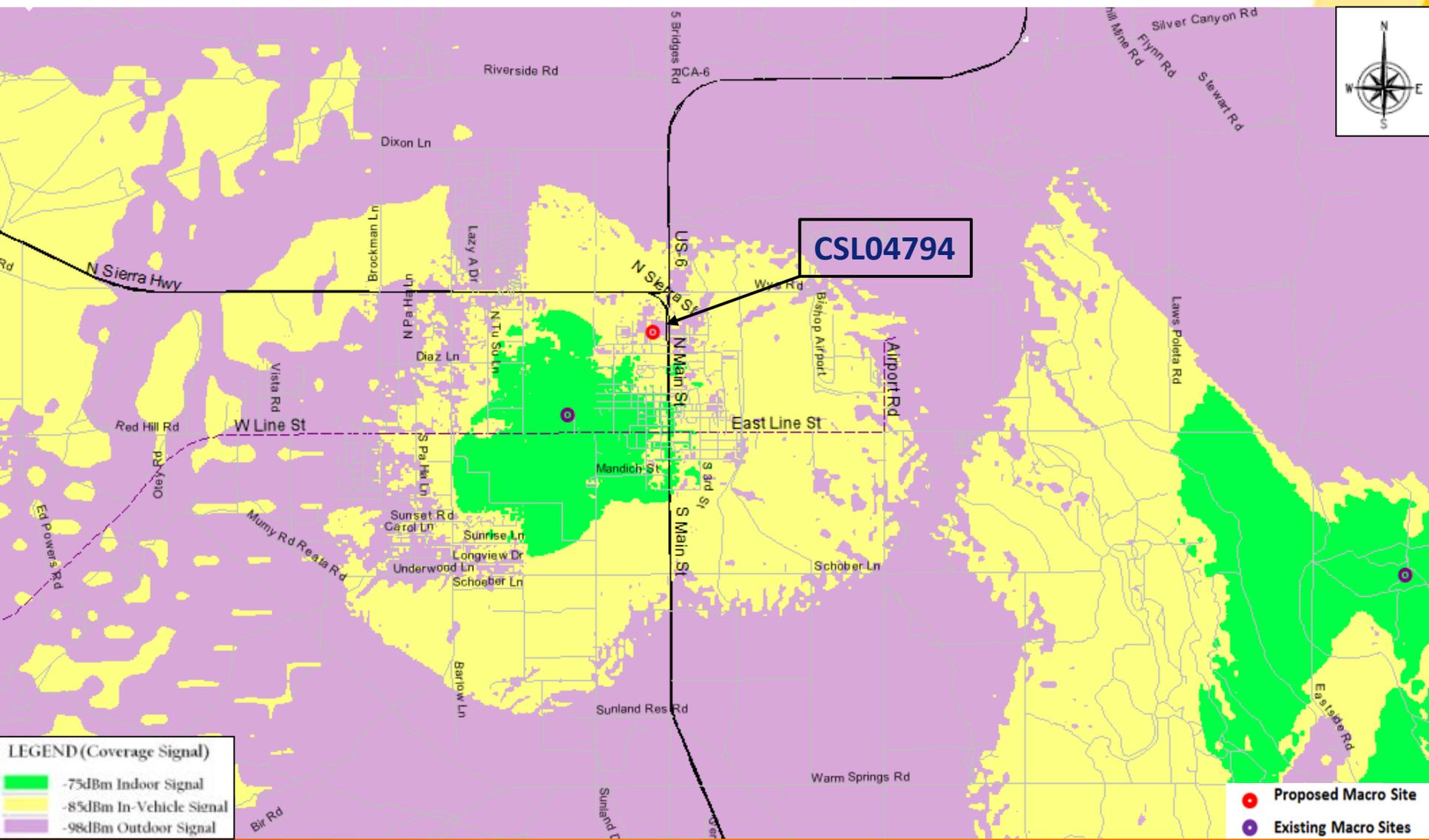
Site Name: : N/A

Site Address: N/A

ATOLL Plots Completion Date: Mar 15, 2020



LTE Coverage Before site CSL04794



CSL04794

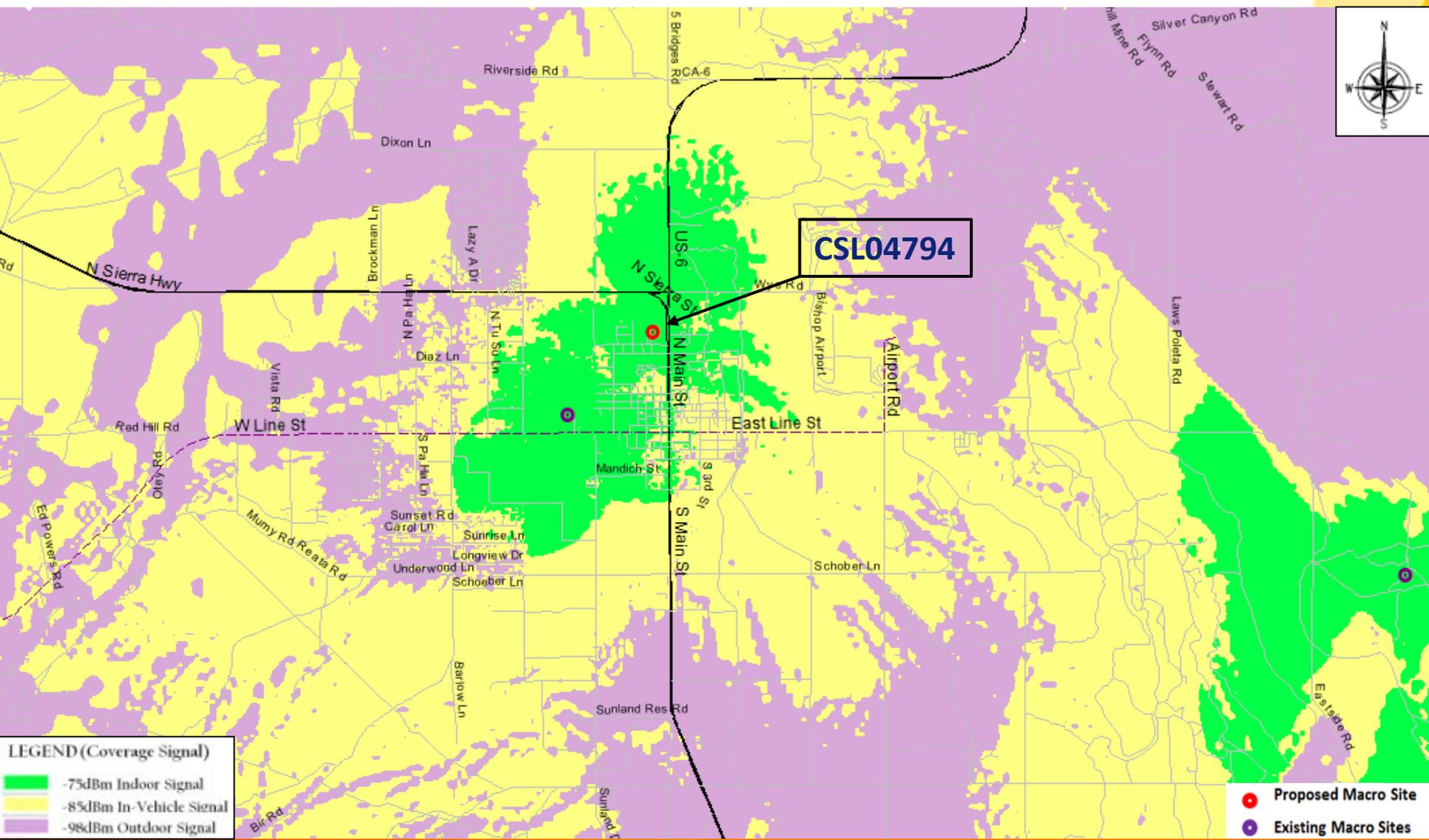
LEGEND (Coverage Signal)

- 75dBm Indoor Signal
- 85dBm In-Vehicle Signal
- 98dBm Outdoor Signal

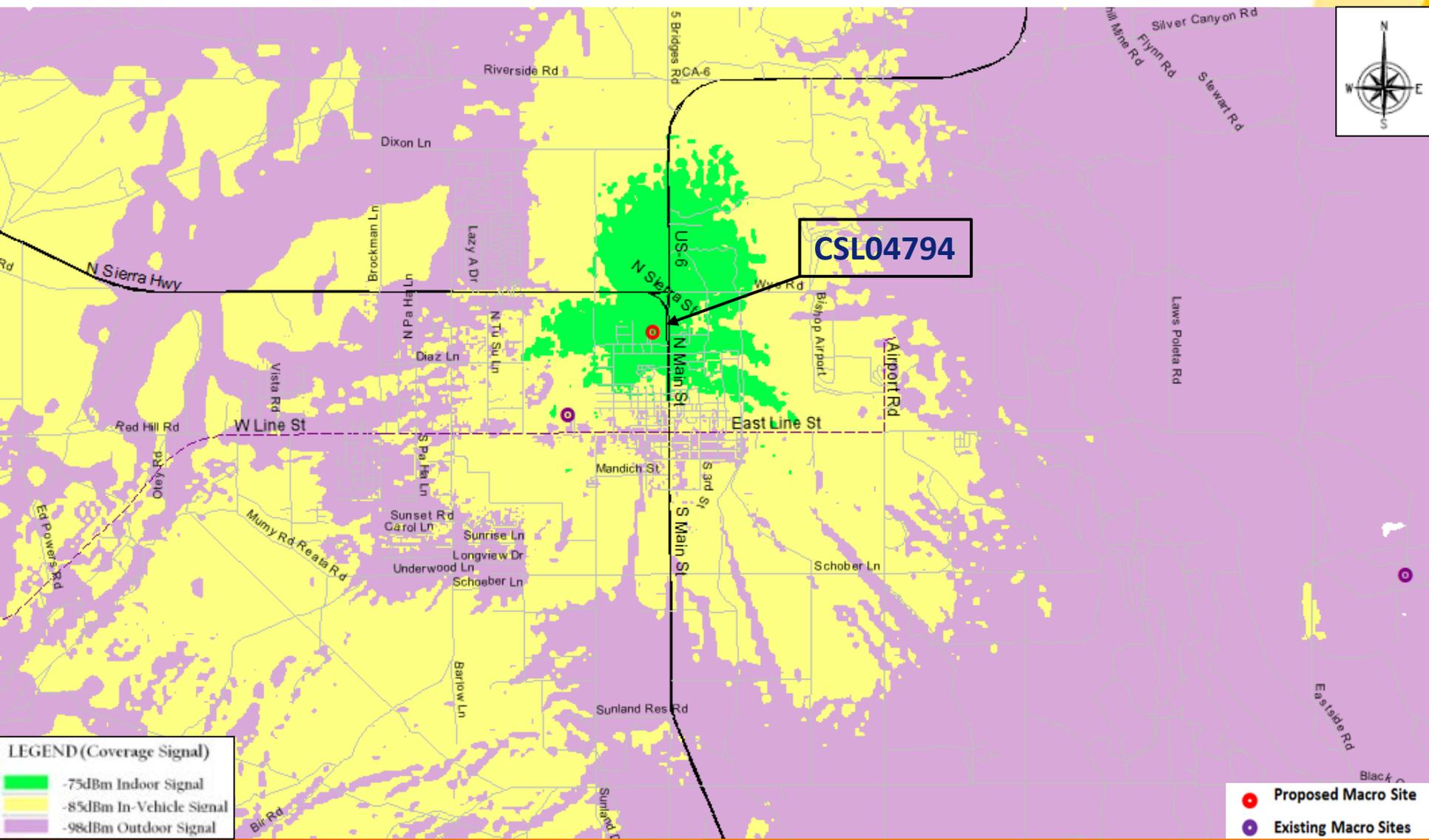
- Proposed Macro Site
- Existing Macro Sites

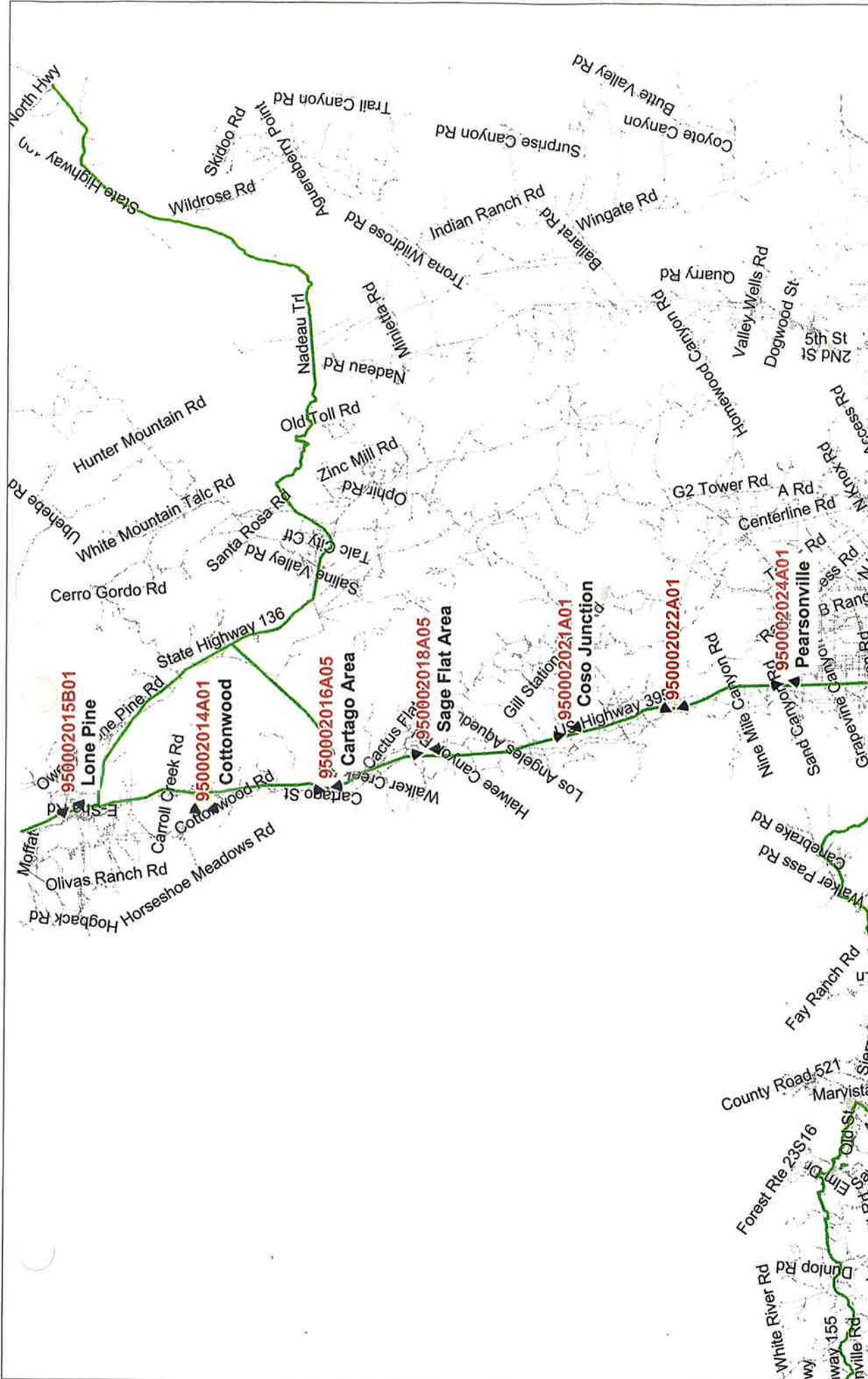


LTE Coverage After site CSL04794



LTE Coverage standalone site **CSL04794**



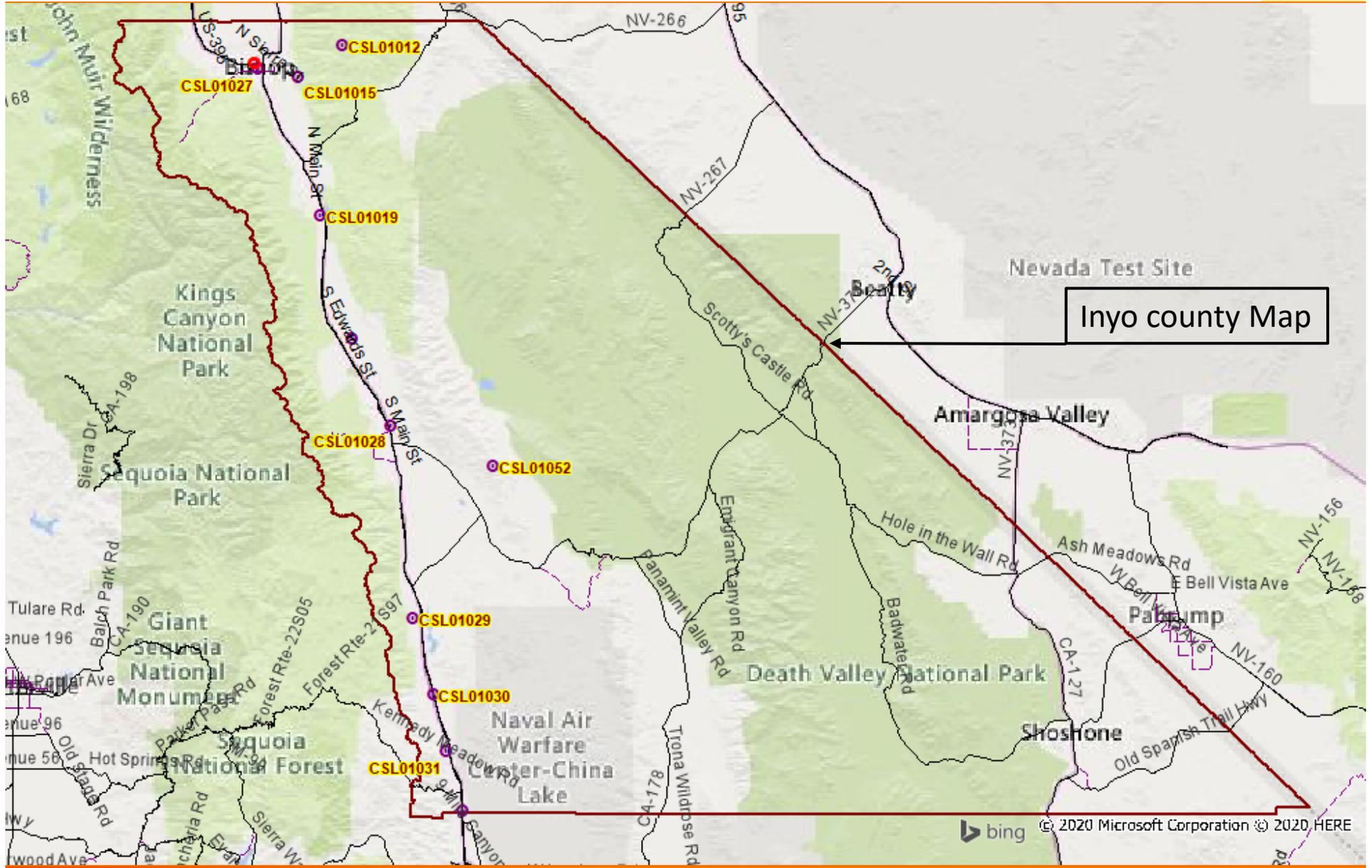


Vicinity Map

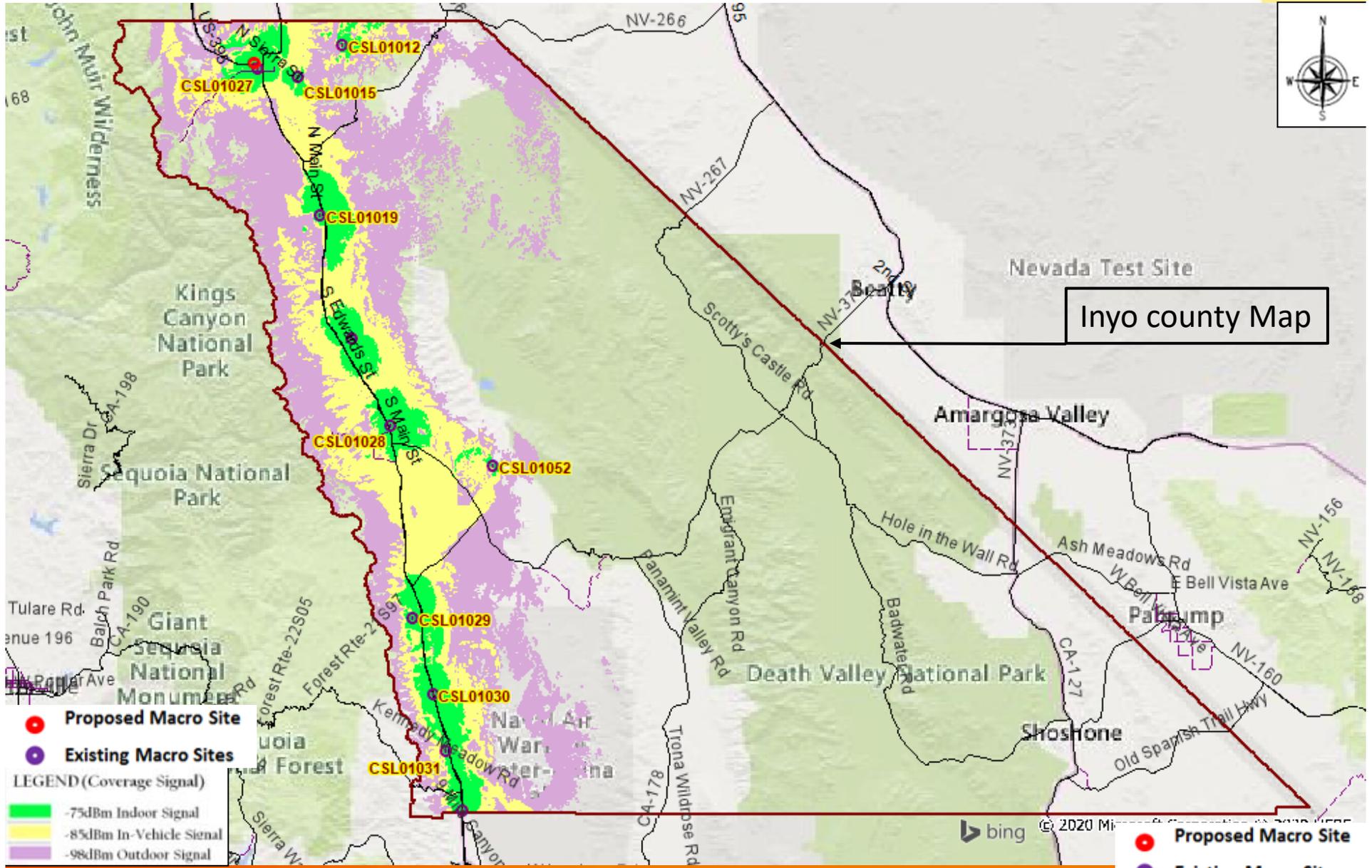
Sub-Group : 002
 Sub-Group Name : Bakersfield/Inyo
 Group : 950
 Group : Los Angeles

▲▲ SITES

(County Map showing all On Air sites)



LTE Coverage After site CSL02817 (County)



Inyo county Map



LTE Coverage standalone site CSL02817 (County)

